

# CODE OF PROFESSIONAL CONDUCT FOR ARABIC TRANSLATORS

*A perspective from Jordan*



**It's never  
too late to  
say the right  
thing.**

**Mohammed Yahya Abu-Risha**



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**Mohammed Yahya Abu-Risha**

*Amman, Jordan*

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# **CODE OF PROFESSIONAL CONDUCT FOR ARABIC TRANSLATORS**

A perspective from Jordan

## **Code of professional conduct for translators: a perspective from Jordan**

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# 1

## CHAPTER ONE INTRODUCTION

A code of conduct serves as a guiding set of principles and standards that individuals within a particular profession are expected to follow. For translators, this code embodies the essence of good conduct, emphasizing the creation of positive outcomes while steering clear of detrimental practices. In essence, a code of conduct outlines the values and behaviours that contribute to a thriving and ethical professional environment. It is a testament to the commitment of translators to uphold the highest standards of their craft, ensuring excellence, professionalism, and integrity in their work.

Our Code of Conduct draws upon the collective wisdom of professional translators. By amalgamating best practices and insights, we aim to provide a comprehensive framework that promotes quality, reliability, and mutual respect in the field of Arabic language translation.

Version 1 of the Code of Conduct is a foundational document that will undergo continuous updates, refinements, and revisions to keep pace with the evolving landscape of translation and its ethical considerations. This dynamic nature ensures that our code remains relevant, responsive, and reflective of the ever-changing demands and challenges faced by translators.

Translators engaging with this code are expected to adhere to the rules and guidelines set forth herein. By doing so, they contribute not only to their personal professional growth but also to the collective advancement of the translation community. Together, let us uphold the principles of excellence, ethics, and collaboration as we navigate the diverse and intricate world of language translation.

## 1.1 Setting the stage

The following is a real story.

### *The ‘sorry-is-not-enough’ story*

*I had entrusted Sameer with a critical translation project, a 50-page document belonging to a significant client of my office. Familiar with Sameer’s track record of delivering high-quality work within deadlines, I didn’t see the need for a written contract. We agreed on the terms, including the price, and he assured me that the polished Arabic translation would be in my hands after 30 calendar days. Twenty-five days into the timeline, I inquired about a preview to ensure everything was on track. Sameer assured me that only five pages remained and that he would send me the draft shortly, despite being out of town. Two days later, my calls went unanswered, and the gravity of the situation unfolded a day before the deadline when Sameer admitted he hadn’t even started due to another client’s last-minute project. He further said that he subcontracted the work to another translator, who messed up with everything. Sameer said to me finally that the price I offered him was too low, so it was fair enough not to translate it. Despite his apology and astonishing offer to ‘forgo payment’, I found myself in a tight spot.*

*With no time to spare, I had to relay the unfortunate news to my client. In a desperate move, I fabricated a tale of an electrical surge destroying the computer with the completed translation. Though hesitant, my client reluctantly granted me five additional days. Forced to salvage the situation, I sought the assistance of a professional company, costing me JOD700, significantly surpassing my initial budget of JOD200. To retain the client, I had to provide a JOD40 ‘I am sorry’ discount, navigating through the aftermath of Sameer’s broken promises and finding a way to mend the trust with my client. I will never hire Sameer, and will tell all other people about his conduct.*

It’s tempting to label Sameer’s behaviour as unprofessional but delving into the specifics is crucial to understanding the nuances of professionalism. Assigning blame solely to Sameer may be over-simplistic; the narrator’s own lie to his client raises questions about professional conduct as well. Why didn’t the narrator monitor Sameer’s progress incrementally to address issues sooner? Determining

the damages, the client is entitled to, assuming the story's veracity, poses a challenge for any arbitrator. With no written contract, interpreting the oral agreement becomes complex.

Can these two individuals get out of the situation as friends not foes? Despite the circumstances, is reconciliation feasible? Is it ethical for the client to engage himself in gossiping that trashes the reputation of Samer and exposes his misconduct? This narrative underscores broader concerns about translator qualities and standardized procedures that can safeguard the translation working environment.

These issues, among others, serve as focal points for the objectives of this book: exploring ways to enhance professionalism, communication, and trust between clients and translators.



## 1.2 Definitions

### 1.2.1 Rationale

Sir Francis Bacon, the renowned philosopher and statesman of the Renaissance, left a lasting legacy with his keen insights into the pitfalls of human reasoning. Among his notable contributions is the concept of the “Idols of the Marketplace,” which warns against the linguistic traps that can hinder effective communication and understanding. In the contemporary context, this warning finds profound resonance in the importance of defining terminologies to circumvent the idols of the marketplace. The first idol Bacon identified was that of the “Marketplace,” where words become commodities exchanged without precise definitions. In the modern marketplace, the precision of communication is paramount. Well-defined terminologies act as a shield against ambiguity, ensuring that ideas and information are transmitted accurately and comprehensively.

Bacon's call for consistency in language resonates strongly in today's business and academic environments. Consistent use of defined terminologies fosters professionalism, streamlines processes, and cultivates an environment where participants share a common understanding. This consistency is instrumental in building a cohesive marketplace where transactions and collaborations unfold seamlessly. In the modern marketplace, trust and credibility are non-negotiable. Defined terminologies contribute to the establishment of a shared vocabulary, fostering trust among stakeholders. This trust becomes the bedrock upon which successful transactions, collaborations, and innovations are built. As the marketplace continually evolves, propelled by technological advancements and societal shifts, the ability to adapt to change is imperative. Well-defined terminologies provide the agility required for industries to seamlessly integrate new technologies and innovations. Without such clarity, the lexicon becomes stagnant, hindering progress and adaptation.

Defining terms in a Code of Conduct for Translators is crucial to establish a common understanding among all stakeholders involved in the translation process. This ensures clarity, reduces the potential for miscommunication, and promotes a shared foundation of knowledge. By defining key terms, we create a framework that helps translators, clients, and other parties involved navigate the code with precision and uniformity, fostering a transparent and ethical professional environment.

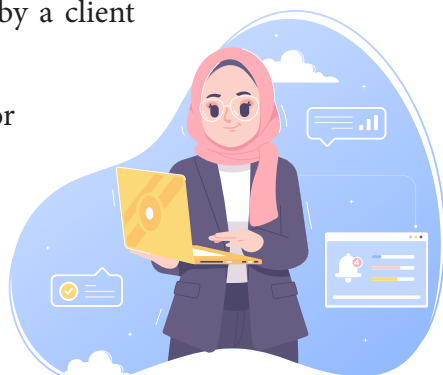
### 1.2.2 List of terms

- ✦ **Brief:** The set of instructions provided by the client to the translator, encompassing specific rules or requirements influencing the choice of words, phrases, terms, format, or translation strategy.
- ✦ **Classification:** The categorization of information based on degrees of confidentiality, establishing a system for tagging and managing sensitive content.
- ✦ **Client:** The individual engaging with the translator for a translation task, providing instructions, the text for translation, and entering into a contractual agreement, culminating in the payment of fees for translation services.

- ✦ **Client's Consent:** A communication from the client, transmitted through agreed-upon means, signalling the initiation of a contractual relationship with the translator.
- ✦ **Contract:** A legal relationship between the client and translator, defining their rights and obligations. The contract may be established in writing or through other legally acceptable means, proving the agreement for translation services in exchange for a specified consideration.
- ✦ **Contract document:** It is the written document confirming the existence of a legal contractual relationship between a translator and a client, detailing the agreed-upon terms, conditions, and obligations for a specific service or transaction.
- ✦ **Information:** When data obtained is structured, organized and/or stored for further action, it becomes information. For the purposes of this code of conduct, information is all that is generated because of the work arrangement between the client and translator. It includes client's instructions, brief, all interactions or communications with the client and all written material related to the translation work, including glossaries, termbases, memories and contracts.
- ✦ **Information Owner:** The entity holding the right to transmit information to the translator, specifically regarding translation matters or the translated work. If the original person who created the information is different from the one that sends it to the translator, the information owner will be the latter.
- ✦ **Person:** A natural or legal entity.
- ✦ **Proof-reader:** An individual responsible for verifying the correctness of language in the translated work.
- ✦ **Quality assurance:** (1) Reading haphazard pages in the translation file to check them against the original source text. (2) Checking the translation against the original file in terms of numbers, consistency of translation terms and phrases and format.
- ✦ **Quality control:** If quality assurance fails, the translator cross-check every word, phrase and sentence between the source and target texts.

- ✦ **Register:** A language variation employed by a language user to accommodate different conditions.
- ✦ **Scientific Editor:** The person reviewing the translated work to ensure alignment with the scientific domain and client requirements.
- ✦ **Translated Work:** The target language material or file returned by the translation to the client.
- ✦ **Translation Strategy:** A strategy utilized by the translator to achieve the client's goals, including literal, free, functional, or pragmatic approaches.
- ✦ **Translation:** Also known as 'written translation,' it involves the faithful transfer of an idea from a written text to another language for comprehension by the intended end recipient.
- ✦ **Translation task:** Also, translation job, refers to a specific assignment or project initiated by a client who seeks the services of a translator.
- ✦ **Translator:** The individual responsible for executing the written translation task.

**In the Appendix (1), find, read and reflect on Scenario 1.**



### 1.3 Translator at work

A good translation starts with a healthy and happy translator. In the serene confines of her home office, a translator sits poised at her clean and orderly desk, immersed in the intricate world of language conversion. The room is a sanctuary for intellectual pursuits, a carefully curated space that harmonizes with the translator's two crucial aspects: the working environment and personal well-being.

#### 1.3.1 Working environment

The translator's working place is a testament to the evolving demands of her craft. A modern computer, equipped with cutting-edge software, forms the nucleus of her operations. A scanner and printer stand at the ready, seamlessly integrating

the physical realm with the digital. Electric plugs dot the landscape, ensuring an uninterrupted flow of power to her array of electronic devices. The quietude of the room provides an ideal backdrop for concentration, essential in handling the high cognitive load that translation work demands.

Dictionaries, both in paper and electronic formats, line the shelves, serving as trusted companions in the translator's quest for precision. The expansive resources on her computer, coupled with high-speed internet access, offer a gateway to a wealth of information and linguistic nuances. Advanced software for localization, text-to-speech converters, and image editing tools augment her arsenal, enhancing efficiency and accuracy in her translations. Computer-assisted translation tools further empower her to navigate the intricacies of diverse languages with finesse.

Translators share anecdotes about their most significant challenges in the workplace, with the computer itself often taking the spotlight. During routine tasks, the computer's tendency to hang and freeze not only results in considerable time delays but also poses a risk to the seamless generation of translated files. Until January 2024, it is recommended to opt for a desktop computer over a laptop due to both financial considerations and technical advantages. However, a well-configured laptop can still effectively handle the job.

For optimal performance, the recommended hardware specifications include an i7-13 generation processor, 32 GB of Random-Access Memory (RAM), an NVIDIA GeForce RTX 3070 video card, and a 1 Terabyte SSD.

### **1.3.2 Welfare**

As she delves into the intricacies of linguistic translation, the translator remains attuned to the importance of her well-being. Ensuring a good posture, she sits in an ergonomic chair, periodically rising to move and stretch, safeguarding against the pitfalls of prolonged sedentary work. This mindful approach mitigates the risk of stenosis and other ailments associated with incorrect postures or habits. Physical exercise and a regulated diet become integral components of her routine, counteracting the potential health hazards of a sedentary lifestyle.

Beyond the physical realm, the translator prioritizes her mental and emotional health. Regular counselling and debriefing sessions offer a release valve for the stress that accompanies the demands of her profession. Acknowledging the

psychological toll of translation work, she proactively engages in self-care to maintain a resilient mindset.

The translator's commitment to holistic well-being extends to practical measures. Regular checks on essential vitamin intakes, particularly B12 and D3, underscore her dedication to maintaining optimum health. Adequate ventilation in the room, coupled with quality lighting and a computer monitor that prioritizes eye health, contribute to a workspace designed with meticulous care.



Recognizing the unpredictability of life, the translator fortifies her resilience with health insurance coverage. This safety net ensures that unforeseen illnesses do not become impediments to her professional pursuits, reinforcing the symbiotic relationship between her career and personal welfare.

In the intimate nexus of her home office, the translator meticulously balances the demands of her work with a proactive commitment to well-being. As she navigates the intricate tapestry of languages, the tranquillity of her workspace and the vigilance over her health converge to create a harmonious symphony—a testament to the translator's unwavering dedication to the art and science of translation.

**Cautions:** If you experience discomfort spreading from your neck to your shoulders and arms after extended computer use, it could be due to muscle strain or stenosis. Prioritize seeking medical guidance, but consider incorporating physical exercises first. If you find yourself unable to concentrate and feeling fatigued despite adequate rest, assess your B12 and D3 vitamin levels. If you've translated a significant amount of content related to atrocities and emotionally distressing events, it's crucial to seek psychological debriefing promptly.

## 1.4 An ethical compass for translators

Translation is a noble profession that bridges linguistic and cultural gaps, serving as a cornerstone of civilization. To ensure the integrity and professionalism of this vital profession, translators must adhere to a set of ethical principles. The

following “Ten Commandments of Translators” outline key guidelines to navigate the complex terrain of translation with honour and integrity.

- 1. Do Not Take Desire as Your Ultimate Master:** Desire emerges as humanity’s initial adversary. Yielding to desire ensnares individuals, impeding both personal growth and societal advancement. In the realm of translation, desire stands as the primary foe. A translator succumbing to desire becomes excessively tethered to outcomes, willing to sacrifice anything and anyone for coveted goals. This not only proves detrimental to the profession but also hampers the translator’s ability to seize opportunities. Additionally, desire fosters a fixed mindset, compelling a translator to cling to a singular strategy while dismissing alternative approaches, resulting in missed improvement prospects. Furthermore, desire narrows a translator’s focus, hindering engagement in productive teamwork and isolating them from the translators’ community. An alarming consequence of succumbing to desire is the fear of competition, driving a translator to resort to unethical means to outshine and undermine peers. Therefore, desire emerges as the ultimate adversary that must be pre-emptively thwarted from commandeering a translator’s endeavours.



- 2. Do Not Idolize Financial Gains, Reputation or Self-Esteem:** Resist the temptation to idolize personal success or financial gains. Translation is a stone in the building of civilization; do not shut your door to those seeking help, even if immediate financial returns are not apparent.
- 3. Respect the Code of Conduct:** Adhere steadfastly to the ethical principles delineated in the code of conduct for translators. Refrain from exploiting this code for personal gain and resist the temptation to distort it to align with your biased inclinations.
- 4. Develop Yourself as a Translator:** Translation is a fusion of art and science. Engage consistently in activities that enhance both your knowledge and skills.
- 5. Honour Colleagues and Respect Experience:** Cultivate a spirit of camaraderie among fellow translators. Respect the experience and wisdom of your seniors, even in disagreement. Avoid arguments and never backbite your mentors or colleagues.

**6. Resolve Disputes Privately:** Do not attempt to assassinate the character of colleagues or clients due to disputes or to any other reason, and no defamation is accepted, such as by defaming others as ‘frauds’ (‘نصاب’ in Arabic). Resolve conflicts directly or through mediation; refrain from using media platforms to defame others. Refrain from turning yourself into an idol by arrogantly claiming to know everything and insisting you’re always right, while dismissing the knowledge of others. Embrace diverse perspectives and foster open-mindedness instead.

**7. Show Gratitude to Colleagues:** Acknowledge and appreciate those who entrust you with translation work. Avoid treachery and maintain transparency in your professional relationships. You do not need to feel that your colleague owns you because of that, but showing gratitude is a noble thing to do.



**8. Avoid Unethical Competition:** Refrain from acquiring clients through cunning or stealing ideas, lists of clients or sensitive information from colleagues. Uphold ethical standards, respecting the intellectual property and efforts of your peers.

**9. Refuse to Bear False Testimony:** Stand firm against providing false testimony to defame or do wrong to a colleague or client for the benefit of a prejudiced third party. Uphold honesty and integrity in all professional interactions, no matter how weak you are or how strong the unjust persecutors are. Never testify that you have done a translation that you haven’t!

**10. Cultivate Humility and Rejoice in Others’ Success:** Resist the temptation of envy; instead, rejoice in the success of your colleagues. Understand that their achievements result from years of hard work. Focus on personal growth and continuous improvement.



# 2

## CHAPTER TWO CORE PERSONAL QUALITIES

In the intricate fabric of human interactions, a code of ethics serves as a guiding light, illuminating the path toward a virtuous and harmonious society. Rooted in principles that transcend cultural boundaries, the basic code of ethics revolves around twelve qualities that encapsulate the essence of human decency and excellence. These qualities are impartiality, integrity, merit, discipline, accountability, time management, civility, humanity, missionary, scientific, and educationist. This applies to translators in their life and in their profession.

The role of a translator extends far beyond linguistic prowess, demanding a unique set of personal qualities that elevate the craft to an art form. Proficiency in both source and target languages is the foundation, accompanied by a keen attention to detail to capture the subtle nuances of meaning. Translators must be adaptable, navigating diverse subject matters with ease, and possess strong research skills to handle unfamiliar terms and concepts. Time management is critical in meeting deadlines, while effective communication skills are essential for understanding project requirements and engaging with clients. Ethical integrity, characterized by professionalism and a commitment to confidentiality, underpins the translator's role. Critical thinking skills enable problem-solving in the face of linguistic challenges, and technological proficiency is increasingly vital in the modern landscape. Emotional intelligence, curiosity, and a continual thirst for knowledge round out the personal qualities that distinguish exceptional translators in their pursuit of bridging linguistic and cultural gaps.

## 2.1 Impartiality

Impartiality is the quality of being fair, unbiased, and free from favouritism or prejudice. It involves treating all parties or individuals equally and without discrimination, ensuring that judgments, decisions, or actions are not influenced by personal preferences or external factors that could compromise fairness.

The quality of a translator is intrinsically tied to their commitment to impartiality, a cornerstone in the ethical foundation of their profession. Translators must navigate the delicate balance of faithfully conveying the source material without injecting personal biases. This impartiality extends to the avoidance of conflicts of interest, a crucial aspect that safeguards the integrity of the translation process. A translator's dedication to declaring any potential conflicts of interest transparently underscores their commitment to ethical standards. By doing so, they ensure that their translations remain unbiased and objective, fostering trust among clients and users who rely on their linguistic expertise. This quality not only upholds the professional standards of the translation industry but also contributes to the credibility and reliability of the translated content.



A conflict of interest arises when a translator's personal or professional affiliations could compromise their objectivity or influence the integrity of their work. In the realm of translation, such conflicts might include having a personal relationship with the author of the source text, a financial interest in the content, or a stake in the outcome of the

translation. It is imperative for translators to recognize and acknowledge potential conflicts of interest, as failing to do so may compromise the accuracy and impartiality of their translations. Transparent declaration of any existing conflicts is a fundamental ethical responsibility for translators. By openly communicating such affiliations, translators uphold the principles of integrity and trust, reassuring clients and stakeholders that their translations are conducted with the utmost objectivity and without any undue influence. This commitment to declaring conflicts of interest serves as a cornerstone in maintaining the professional standards and ethical integrity of the translation profession.

## 2.2 Integrity

Integrity is the quality of being honest, upright, and having strong moral principles. It involves consistency in actions, values, methods, measures, and principles. Individuals with integrity are trustworthy and adhere to a code of ethics.

Maintaining discretion, telling the truth about one's capabilities and refraining from engaging in gossip are indeed a valuable quality for a translator. The ability to keep confidential information secure and avoid unnecessary discussions about sensitive matters reflects a commitment to professionalism and ethical conduct. Gossiping can potentially lead to breaches of confidentiality, eroding trust and compromising the translator's integrity. By cultivating a practice of discretion in both their professional and personal life, a translator reinforces their dedication to upholding ethical standards and ensures that the confidentiality of the materials they work with remains paramount.



Integrity has far-reaching implications. A translator should not omit or change meanings just because she did not agree with what was said or because she wanted to finish the work fast. If a translator encounters content that raises ethical concerns, such as potential harm or misinformation, they should address these concerns responsibly. Integrity in translation involves navigating such challenges while staying true to the author's intent and ethical standards. In translating content that may be considered controversial or objectionable, a translator must resist the temptation to censor or sanitize the text. This quality not only contributes to the translator's reputation as a trustworthy professional but also aligns with the broader ethical principles guiding their work.

### *Real story of a translator:*

*In the quiet chambers of my translation office, I found myself facing a request that would test not only my linguistic skills but also my commitment to justice. It was a crisp morning when I received a call from a lawyer, a seemingly routine inquiry that would soon evolve into a moral dilemma.*

*The lawyer on the other end of the line explained that she needed a set of documents translated for a court case. As I eagerly listened, he divulged that a portion of these documents contained potentially incriminating evidence against her own client. Expecting me to omit or alter those sections, he asked for a favour that would compromise the integrity of the translation.*

*However, I had long understood the weight of my responsibility as a translator. I considered myself not merely a linguistic conduit but a crucial link in the pursuit of justice. My duty was to offer an unbiased, unaltered representation of the source material, regardless of its content.*

*Politely but firmly, I explained to the lawyer that I could not, in good conscience, omit or alter any part of the document. My role, I emphasized, was to ensure the court received an accurate and faithful translation. I held steadfast to the belief that justice demanded an unclouded presentation of the facts.*

*As our conversation unfolded, it became apparent that I was not the only translator approached with this request. A red flag waved in my mind when I discovered that several others had refused to take on the task. It sparked a sense of validation in my decision to stand firm. I reflected on my role not just as a translator but as a judicial assistant, contributing to the administration of justice. In that moment, I realized the gravity of my position. I was not a mere observer; I was an essential part of the legal process, ensuring that information flowed accurately and unaltered.*

*I ended up by declining the translation request.*

Another narrative shared by a translator, Rana Alsoky, highlights another facet of integrity, specifically in terms of honesty. The translator recounted an instance when tasked with translating an official document from Arabic to English, wherein she detected a glaring error in the date. Despite requesting a corrected document, the individual in possession insisted on translating it as is. Reluctantly, she translated the incorrect date, apprehensive that it might tarnish her reputation, as the ultimate recipient of the translation could perceive it as an error on her part.



prohibited for a translator to seek to affect the decision of another translation regarding the prices she would offer to a client. Lobbying for increasing or fixing prices or wages is not only illegal but detrimental in a free-market environment. Some translators demand fair, higher fees, while others accept low pay to make ends meet, risking the profession's prestige and fair compensation. This debate over whether earning less is better than nothing remains unresolved among translators.

Furthermore, when offering insights about a past client to a colleague, discretion is essential. Rather than passing subjective judgments, it is advisable to provide factual details such as compensation received, payment terms and any experienced delays in payment, potentially making the client a difficult payer. Refraining from labelling clients as good or bad, honest or fraudulent, ensures unbiased communication. You still have the option of keeping silent, not disclosing anything about the client.

It is crucial to comprehend that colleagues referring clients do so at their own discretion, absolving them of any liability in case of unforeseen issues. Even if problems appear along the road, you will not have any right to have recourse to the referring translator or even to talk to her about mishaps with the client.

## 2.3 Merit

Merit is the quality of being deserving or worthy, especially in terms of one's abilities, achievements, or qualities. It implies that rewards, promotions, or recognition should be based on individual competence and performance.

The quality of merit in translators is a multifaceted attribute that encompasses a blend of linguistic proficiency, cultural understanding, and ethical conduct. Meritorious translators excel in delivering translations that exhibit an unparalleled level of accuracy, ensuring that the intended meaning is faithfully conveyed in the target language. Their commitment to ongoing professional development reflects a dedication to staying abreast of linguistic advancements and industry trends. A meritorious translator is not only adaptable to diverse subject matters and styles



but also possesses strong problem-solving skills, navigating linguistic challenges with finesse. A translation with merit is one who studies, has studied and will keep studying the conceptual, procedural and situational aspects of knowledge.

Conceptual Knowledge stands as the bedrock, encapsulating the “knowledge-what” aspect of the craft. Translators must delve deep into the subject matter and domain relevant to their work, mastering not only the linguistic intricacies but also the specialized terms and expressions within specific fields. This knowledge ensures that the translator comprehends not just the literal meaning of words but also the nuanced connotations and cultural subtleties embedded in the text. Whether translating legal documents, scientific papers, or literary works, a robust conceptual understanding allows the translator to capture the essence of the source material and convey it accurately in the target language.

Procedural knowledge constitutes the “knowledge-how” dimension of effective translation. Translators must hone a diverse set of strategies and techniques, including literal, free, semantic, pragmatic, and semiotic approaches. Additionally, understanding concepts like domestication (adapting the text to the target culture) and foreignization (preserving the foreign elements) provides the translator with a spectrum of tools for diverse translation scenarios. Proficiency in procedural knowledge empowers translators to navigate the complexities of syntax, style, and cultural nuances, ensuring the fidelity and fluency of the translated content.

Completing the triumvirate of translation expertise, situational knowledge addresses the “knowledge-when” and “knowledge-where” aspects of the craft. Translators must be attuned to the temporal and spatial dimensions of their work, considering the context in which the translation is situated. Awareness of the target audience, the cultural nuances of both source and target languages, and the broader socio-cultural and geopolitical contexts are critical. This contextual understanding is decisive in making informed translation decisions, as the same words may carry different meanings depending on the time, place, and cultural background. In essence, situational knowledge ensures that the translated content resonates authentically within its intended setting, making it not just linguistically accurate but culturally apt.

## 2.4 Discipline

Discipline is a hallmark quality in the arsenal of a professional translator, shaping not only the precision of language translation but also the character and demeanour of the individual. A disciplined translator approaches communication with sincerity, refraining from the use of falsehoods in both professional interactions and daily life. This commitment to truthfulness extends to a deliberate avoidance of excessive humour and sarcasm, emphasizing a more serious and measured tone in communication. The translator exercises caution, contemplating words carefully before they are spoken, fostering an environment of clarity and reliability. Transparency is a key facet of their character, as they willingly embrace accountability for their actions. This disciplined approach is not just a matter of professional conduct but reflects a personal commitment to authenticity and responsibility.



In addition to honesty and careful communication, a disciplined professional translator possesses resilience and bravery in the face of criticism. While avoiding unnecessary jokes and sarcasm, they do not shy away from defending their work when warranted. This translator is open to changing himself and modulating his behaviour as she welcomes constructive feedback, demonstrating flexibility and a willingness to learn and improve. The ability to accept accountability while also standing firm against unwarranted criticism speaks to a balanced discipline that fortifies the translator's professional and personal integrity. When the client is angry, the translator should know how to absorb that anger and transform weaknesses to strength and threats to opportunities. It is this combination of serious, transparent, and courageous qualities that sets the disciplined professional translator apart, contributing not only to the excellence of their translations but also to the credibility and trustworthiness they inspire in their professional relationships.

## 2.5 Humility

Humility is the quality of having a modest view of one's own importance or abilities. It involves a willingness to acknowledge and appreciate the contributions of others, as well as a lack of arrogance or excessive pride. Humble individuals are open to learning from others and accept their limitations.

Imagine a poor man having a document to translate for an affordable option. He decides to visit a renowned translation office, led by the top translator in town. In this scenario, the translator has two choices. One is to express dissatisfaction, asserting that expecting the foremost translator in the country to dedicate time to such a document is unreasonable. The alternative is for the translator to welcome the man warmly, as they do with every client, recognizing that their positive attitude and humility contributed to earning them the esteemed title. They always keep in mind the wisdom someone once shared with them: “The goodness you throw into the world always finds a way to come back to you.”



Recognizing the inherent challenges of navigating different languages and cultures, a humble translator acknowledges the limitations of their own knowledge and embraces the continuous process of improvement. This humility leads to a greater receptivity to feedback, enabling the translator to refine their skills and produce more accurate and culturally nuanced translations. In the ever-evolving landscape of language, humility serves as a guiding force, fostering a sense of curiosity and a commitment to staying attuned to the nuances and subtleties that can be easily overlooked.

Moreover, humility plays a crucial role in interpersonal relationships within the translation community. A humble translator values the contributions of colleagues, recognizing that each individual brings unique perspectives and strengths to the table. This mindset promotes collaboration and a supportive environment where ideas are freely exchanged. The humility to admit uncertainties or seek assistance when faced with linguistic challenges not only enhances the quality of translations but also builds a sense of camaraderie within the profession. In essence, humility in translation is not a sign of weakness but a strength that propels the translator towards a deeper understanding of languages and cultures, and a commitment to delivering translations of the highest calibre.

Mistakes can happen and qualify for an apology in translation. The art of saying sorry is a delicate dance between acknowledging human fallibility and maintaining professionalism. Translators, under the constant pressure of deadlines, diverse subject matter, and the inherent complexities of language, may occasionally find

themselves erring. Whether due to pressure, ignorance, negligence, or any other unintentional act, mistakes are an inevitable aspect of the craft.

When a translator or the client spots an error, it is crucial to address it promptly and proactively seek a solution. Saying sorry, in this context, is not a mere formality but an acknowledgment of responsibility. A simple “sorry” can go a long way in expressing remorse without resorting to an elaborate apology. However, the key lies in recognizing the impact of the mistake; if inconvenience has been caused to the client, an apology is not just recommended but essential.

Yet, the art of saying sorry also involves knowing when to refrain. If a client, despite the translator’s apology, remains upset and continues to blame them for the error, repeating apologies can become counterproductive. Humility, while paramount, does not equate to accepting undue humiliation. In such instances, it is crucial for the translator to maintain a strict and professional demeanour. Avoiding a defensive stance is crucial, particularly when dealing with a meticulous and demanding client.

Guiding the client towards a solution becomes the translator’s priority in such situations. Rather than perpetuating a cycle of apologies, the focus should shift towards rectifying the mistake and preventing its recurrence. Some translators may choose to offer discounts as a gesture of apology. While this approach is acceptable, the timing and execution matter. It is advisable to first showcase one’s adept management skills in resolving the issue before considering any financial compensations.

Care should be exercised when offering discounts, as what may seem a generous gesture could inadvertently add insult to injury. A thoughtful approach involves emphasizing real solutions to the mistake and demonstrating a commitment to the client’s satisfaction. In the delicate art of saying sorry, the translator must balance humility, professionalism, and problem-solving skills to navigate through the complexities of client relations with finesse.

Assigning blame to others, be it your staff, colleagues, third parties, or even technology, is an unproductive practice in professional settings. Ultimately, as the individual responsible for the outcome, it is crucial to exhibit courage and take



ownership of any mistakes that may arise. Acknowledging responsibility is not only a sign of leadership but also the first step towards rectifying the situation. Instead of pointing fingers, successful professionals focus on finding solutions and implementing corrective measures.

In certain scenarios, especially within the field of translation, it might be necessary to seek external expertise to ensure the highest quality. This could involve sending the work to an external editor, who may charge a fee higher than the initial translation cost. While this may result in short-term financial implications, it aligns with industry practices that prioritize quality assurance. Sustaining losses in individual transactions can be compensated by the overall success of other projects, and, more importantly, it safeguards your reputation. In the long run, prioritizing quality over immediate cost considerations not only preserves client trust but also establishes a foundation for sustained professional success.

**In the Appendix (1), find, read and reflect on Scenarios 4, 5 and 6.**

## 2.6 Accountability

Accountability is the obligation or willingness to accept responsibility for one's actions, decisions, and their consequences. It involves answering for the outcomes of one's choices and being answerable to others for one's conduct. It emerges as a commanding quality, embodying the translator's commitment to accepting responsibility for their work, especially in the face of errors or criticism. This facet of accountability goes beyond the technical aspects of language conversion; it extends to the translator's willingness to bear the consequences of any shortcomings in their translation and to defend their choices with transparency and professionalism. When a translator accepts a project, they inherently assume the responsibility for the accuracy and fidelity of their rendition, understanding that errors, however minor, can have significant implications for the client and the broader stakeholders.

In instances of prejudiced criticism or dissatisfaction from clients, an accountable translator steps forward to engage in a constructive dialogue. This involves not only acknowledging mistakes but also demonstrating a proactive approach to rectifying them. A translator's accountability is reflected in their ability to learn

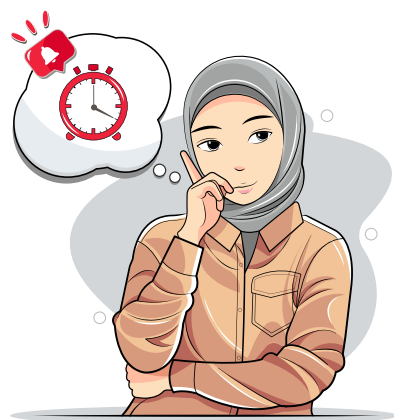


from errors, adapt their strategies for future projects, and maintain open lines of communication with clients. This commitment to accountability not only safeguards the integrity of the translation profession but also fosters trust between the translator and their clients. Ultimately, the ability to accept responsibility, rectify mistakes, and engage in transparent communication positions accountability as an indispensable quality that elevates the professionalism and credibility of translators in the eyes of those they serve.

## 2.7 Time management

Time is of the essence. Once a translator sits to start a job, she has to keep doing it until she achieves her goals. Time management is a critical skill that distinguishes professional translators in the dynamic and often fast-paced world of language services. A professional translator must efficiently allocate their time to meet project deadlines without compromising the quality of their work. This skill involves meticulous planning, prioritization, and the ability to juggle multiple tasks simultaneously.

Translators often face tight schedules, requiring them to navigate through various projects, each with its unique linguistic challenges. Effective time management not only ensures timely delivery of translations but also allows for thorough research, careful proofreading, and the incorporation of cultural nuances, ultimately enhancing the overall quality of the translated content. Professionals who excel in time management demonstrate reliability, meet client expectations, and contribute to the seamless flow of translation projects in a competitive and demanding industry.



## 2.8 Civility

Civility refers to politeness, courtesy, and respectful behaviour in social interactions. It involves treating others with consideration, avoiding rudeness,

and promoting a harmonious and cooperative atmosphere in relationships and communities.

Maintaining a courteous and respectful demeanour is essential in navigating the intricacies of cross-cultural interactions. An exemplary manifestation of civility is evident in how a translator responds to client feedback. Rather than reacting defensively, a civil translator takes the time to understand the client's concerns and addresses them thoughtfully. This approach not only demonstrates professionalism but also cultivates a sense of trust between the translator and the client.

For instance, imagine a scenario where a client expresses dissatisfaction with a translated document, pointing out areas they believe could be improved. A civil translator refrains from adopting a defensive stance or dismissing the feedback outright. Instead, they acknowledge the client's perspective, express gratitude for the input, and seek clarification on specific concerns. Subsequently, the translator diligently revisits the translation, making necessary adjustments to align more closely with the client's expectations. By approaching the situation with civility, the translator not only enhances the quality of the final product but also preserves a positive client relationship, showcasing the importance of respectful communication in the field of translation.

Maintaining collegial relations is crucial for professional translators, emphasizing the prohibition of engaging in backbiting or negative discussions about colleagues or clients. Upholding a code of conduct that discourages gossip and fosters a culture of mutual respect is vital in the translation industry. Translators must refrain from indulging in negative commentary, promoting an atmosphere of trust and collaboration that contributes to the overall

success of translation projects. This includes refraining from shaming others as 'frauds' (نصابون). By prioritizing professionalism and focusing on constructive communication, translators can ensure a work environment where backbiting is strictly avoided, thus promoting a positive and effective team dynamic.



While it's not necessary for translators to form personal affections for all colleagues or clients, it is crucial to approach professional relationships with a degree of understanding and professionalism. Translators may not always share the same perspectives or preferences, but maintaining a level of courtesy and respect is essential. The focus should remain on the task at hand – delivering accurate and culturally sensitive translations – and any interpersonal differences should be addressed diplomatically and constructively. Ultimately, a collaborative and respectful approach among translators ensures the smooth functioning of translation projects, fostering an environment conducive to achieving linguistic excellence.

## 2.9 Humanity

Humanity as a value for translators extends beyond linguistic proficiency to encompass ethical considerations. Translators must navigate issues of privacy, respect, and cultural sensitivity in their translations, especially when dealing with content that involves personal narratives, emotions, or potentially sensitive topics. Upholding the value of humanity means actively working to avoid perpetuating stereotypes or biases in translated content and striving to represent diverse voices with authenticity and respect.

Furthermore, a translator's commitment to humanity involves engaging with the global community responsibly. This includes promoting inclusivity, supporting the accessibility of information across language barriers, and contributing to cross-cultural understanding. Racism and discrimination on the basis of sex, ethnicity, religion or colour are not tolerated. By placing humanity at the forefront of their professional endeavours, translators not only enhance the quality of their work but also play a vital role in fostering a more interconnected and empathetic world through effective communication.

Tareq Al Bzour, a translator, found himself in a unique situation when his client insisted that he handle the translation of content related to a European entity with a questionable reputation worldwide. The client specifically requested the translation to portray this entity in a positive light. However, this presented two significant issues. Firstly, the translator was expected to adhere to the client's instructions, and secondly, following those instructions



would result in a misrepresentation of a historical fact with broader implications for humanity. The resolution to this dilemma lies in prioritizing humanity as an overarching principle that takes precedence over mere compliance with the client's directives. In this delicate balance between integrity and the human perspective, the translator should tactfully decline the client's request. The decision to prioritize truth and accuracy over potentially misleading portrayals is not an easy one in real-life scenarios, and translators frequently encounter such challenging situations. It is through the establishment of a robust code of conduct that translators are provided with guidance on navigating these ethical dilemmas. This code serves as a support system, enabling translators to determine the appropriate course of action when faced with conflicting demands, ultimately upholding the principles of integrity and respect for the truth.

## 2.10 Missionary

Translators, in many ways, can be seen as linguistic missionaries, actively engaged in the cultural exchange that occurs through their work. Recognizing the importance of passing on this skill to future generations, translators can play a pivotal role as mentors and educators.

One effective method for transmitting the art of translation is through apprenticeships. Whether undertaken as a free exchange of knowledge or as a paid arrangement, apprenticeships provide aspiring translators with hands-on experience and exposure to real-world challenges. This immersive learning environment not only imparts practical skills but also instils the cultural nuances that are integral to effective translation. By taking on apprentices, experienced translators become cultural stewards, ensuring that the intricacies of language and context are passed down to the next generation.

Additionally, translators can contribute to the dissemination of their expertise by engaging in various scholastic activities. This may include organizing and participating in workshops, where they can share insights, techniques, and practical tips with aspiring translators. Attending conferences within the translation and language industry offers another avenue for knowledge exchange.



By actively participating in these gatherings, translators stay abreast of the latest developments, share experiences, and connect with peers, creating a network that enriches the field and promotes ongoing learning.

Furthermore, translators can contribute to the academic discourse surrounding translation by writing research papers or collaborating with educational institutions. Academic involvement not only enhances the credibility of the profession but also ensures that the theoretical aspects of translation are explored and documented. Collaboration with academics fosters a dynamic exchange of ideas, contributing to the evolution and refinement of translation as a field of study. In essence, the translator as a missionary takes on the responsibility of preserving and advancing the art of translation for the benefit of current and future generations.

## 2.11 Scientific

Science, at its core, is a systematic and disciplined approach to understanding the natural world through observation, experimentation, and the formulation of well-established rules and principles. It is a methodical pursuit of knowledge that relies on evidence, testing, and the construction of accurate explanations and predictions. In the realm of translation, adopting a scientific mindset

is paramount. Translators, akin to scientists, should adhere to established rules and principles that govern the intricacies of language and cultural nuances. By grounding their practice in a scientific approach, translators aim to provide accurate and reliable interpretations of texts, minimizing subjectivity and enhancing the predictability of their outcomes. This commitment to scientific rigor ensures that the translation process is not only a creative endeavour but also a disciplined one, fostering precision, clarity, and consistency in the transfer of meaning across linguistic and cultural boundaries.

Translators, much like scientists in their approach, pay careful attention to the nuances of grammar. They diligently observe the rules of text linguistics, aiming to maintain both cohesion and coherence in their translations. This involves ensuring that the elements of a text fit together logically and smoothly.



In addition to linguistic considerations, translators are attuned to the cultural norms that shape interpretation and interaction. This awareness helps them capture the essence of a message within its cultural context, making their translations more accurate and meaningful.

To further enhance their craft, translators incorporate scientific criteria when evaluating their work and conducting error analysis. This involves a systematic examination of the translation process, identifying and rectifying any linguistic or contextual discrepancies.



What sets translators apart is their commitment to staying informed about the latest developments in translation studies. They actively read up-to-date scientific research, drawing from the insights of major theorists in the field. This ongoing engagement with scholarly work ensures that their translation practices align with current best practices and theoretical advancements.

Crucially, the process doesn't end with the application of rules. Translators understand the importance of collaboration and discussion within their professional community. They not only establish rules but also engage in dialogues with peers to validate their approaches and share collective wisdom. This collaborative aspect ensures a continuous refinement of their skills and an adherence to the evolving standards of the translation profession.

## 2.12 Artistic

In an interview on Omani radio, Ahmad Al Sabie'e, an Omani translator, once eloquently articulated the transformative role of translators with the metaphor: "A text in a source language is like a corpse for a target language reader. It is the translator that blows spirit into that corpse." This profound analogy encapsulates the essence of the translator's task as one



of resuscitation and rejuvenation. In essence, a text in its original language lies inert and lifeless for those unable to decipher its linguistic code. The translator, akin to a literary alchemist, breathes vitality into these dormant words, infusing them with the lifeblood of cultural nuances, emotional resonance, and artistic flair. Through this act of linguistic transfiguration, the translator becomes the conduit through which the soul of the source text is revived, inviting readers of diverse languages to partake in the beauty and depth of the literary creation. The translator, therefore, emerges not merely as a conduit of words but as a weaver of living narratives, transcending the limitations of language and offering the gift of shared understanding to a global audience.

Translators are entrusted with the responsibility of preserving the essence, spirit, and artistic nuances of the original text. It is the translator's prowess that allows readers of diverse languages to immerse themselves in the same vivid images and imaginative landscapes as envisioned by the author.

A testament to the artistry of translation lies in the countless renditions of timeless literary works such as "The Arabian Nights." This collection of Middle Eastern tales has transcended linguistic boundaries, finding its way into the hearts and minds of readers across the globe. The success of these translations can be attributed to the ability of the translators to evoke the same sense of wonder, magic, and cultural richness intended by the original Arabic text.

The Arabian Nights, with its enchanting tales of Scheherazade, Aladdin, and Ali Baba, has been masterfully translated into numerous languages. These translations are not mere linguistic exercises but artistic endeavours that bridge the gap between cultures and allow readers who might not understand the original Arabic to partake in the magic of the tales. Anecdotes abound, showcasing instances where the stories reached the imagination of non-Arabic readers, sparking a universal fascination with the tales of the Orient.

Without the touch of artistic translation, this cross-cultural literary exchange would remain a distant possibility. It is through the translator's artistry that the essence of The Arabian Nights has resonated with readers worldwide, fostering a shared experience of imagination and cultural appreciation. In the realm of translation, where words are not just vessels of meaning but carriers of emotions and cultural nuances, translators truly emerge as artists, crafting bridges of understanding that transcend linguistic barriers.

## 2.13 Educationist

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Knowing the ins and outs of a craft is good but not enough for a translator to impart knowledge that they have on others. Under this Code, a translator is discouraged from being a ‘mentor’ or ‘coach,’ unless she masters the science of education. The ethical responsibilities of professional translators in training novices lie in recognizing their limitations as trainers, fostering transparency, and creating an environment that encourages independent thinking. Upholding these principles ensures a more ethical and effective transmission of knowledge, allowing novices to develop into skilled and conscientious translators in their own right.

Translators should adopt a scientific approach when taking on the role of educators. Teaching others the art of translation requires more than just sharing personal experiences; it demands a systematic and evidence-based methodology. By employing well-established rules and principles grounded in linguistic theories and cultural understanding, translators can provide a structured framework for their students. A scientific teaching approach ensures clarity and precision, emphasizing the importance of empirical observations and accurate predictions in the learning process. This not only fosters a deeper comprehension of the intricacies of translation but also instils a disciplined and reliable foundation for novice translators to navigate the complexities of language and cross-cultural communication.

Professional translators face a delicate ethical challenge when tasked with training novices in the field. The temptation for seasoned translators to believe they possess a wealth of knowledge that can easily be transferred to beginners is a common pitfall. Novices, often starting with minimal understanding of the complexities of translation, may be lured by the perception of a master possessing comprehensive knowledge. However, it is crucial for experienced translators to recognize and respect the distinction between being a translator and being a trainer.

One ethical consideration revolves around the need for humility and self-awareness on the part of the experienced translator. Understanding that the mastery of translation does not automatically translate into effective teaching skills is essential. Translators must resist the urge to assume that their expertise alone qualifies them to guide novices through the intricate journey of learning

translation. Recognizing the unique skill set required for effective training and mentorship is crucial in maintaining ethical standards.

Moreover, professional translators must prioritize transparency and honesty in their interactions with novices. Clearly communicating the challenges, uncertainties, and ongoing learning experiences within the realm of translation fosters a realistic understanding for those just embarking on their journey. Rather than perpetuating an illusion of having all the answers, experienced translators should share their ongoing commitment to learning and adapting to the dynamic nature of language and communication.

In addition, ethical training practices involve promoting a supportive and collaborative learning environment. A translator who awaits her novices to give the ‘right’ answer misses the educational goal altogether. Encouraging novices to question, explore, and challenge assumptions helps them develop critical thinking skills essential for the field. A responsible trainer understands the importance of nurturing independent thought and guiding novices toward developing their own problem-solving approaches rather than simply replicating established methods.

When a professional translator takes on the role of teaching novices, possessing effective training skills becomes paramount. Beyond the mastery of translation itself, the ability to impart knowledge in a structured and comprehensible manner is crucial. This necessitates a set of skills that goes beyond the practical aspects of translation, including communication, pedagogy, and the capacity to adapt teaching methods to diverse learning styles.



A proficient translator-turned-trainer should not only rely on personal experience but also have a foundation in solid and accurate knowledge derived from established translation practices and informed by scientific research. Integrating theoretical insights into practical lessons helps bridge the gap between

traditional approaches and contemporary advancements in translation studies. This ensures that novices receive a well-rounded education that aligns with both proven methods and the evolving landscape of language and communication.

However, there exists a potential pitfall wherein the translator-turned-trainer may exercise excessive discretion in teaching. This discretion, if unchecked, can inadvertently lead to the transmission of misconceptions among novices. To counter this, a responsible trainer should adhere to a balanced approach, combining established best practices with an openness to evolving methodologies. Encouraging a critical mindset in novices allows them to discern between established conventions and emerging trends, preventing the perpetuation of outdated or inaccurate information.

In essence, a translator taking on an instructional role should not only possess a rich reservoir of practical knowledge but also cultivate effective teaching skills. This involves drawing on established practices and staying informed about the latest research in translation studies. By avoiding undue discretion and fostering a critical mindset in novices, the translator ensures that the training process is both ethically sound and educationally enriching.

An indispensable quality for a translator functioning as an educator is the commitment to never leaving anyone behind. Sajeda Al Barmaki distinguishes between a teacher and an educator, asserting that a teacher imparts knowledge, while an educator extends care. Through this nurturing care, she contends, novices consciously and subconsciously assimilate all the qualities of the master.

Before concluding this discussion on translators' qualities, it's important to address the issue of empowering relatives. Many translators express frustration that their family members fail to grasp the intricacies and challenges inherent in the translator's profession. It is not uncommon for a relative to approach a translator casually, asking them to "translate these five pages – it won't take an hour."

This predicament is particularly prevalent among Arabic translators and stands in contrast to the best practices concerning familial support and empowerment. Traditionally, especially in the Western world or, at least, in the past in the Arab world, when a young individual embarks on their career journey, family members are enthusiastic about being the first customers. In fact, they often willingly pay

more for the translator's services than external clients would. It's worth revisiting and reconsidering this tradition.

The discrepancy between the traditional Western or past Arab practice and the current scenario highlights a shift in familial attitudes towards the translator's profession. Instead of being a source of understanding and support, some family members seem to overlook the complexity and time-consuming nature of translation work. This underscores the importance of fostering a better understanding within families about the challenges faced by translators and the professional value of their work. Efforts to bridge this gap in perception can contribute to a more supportive and empowering environment for translators in their personal and professional lives.

In concluding this chapter, let us highlight a story of Rana Doori, a diligent translator from Syria. Rana is known (by the author and some clients he knows) for her unwavering professionalism and meticulous attention to detail—qualities that have made her the go-to linguist for high-stakes projects. Clients deeply admire her precision and ethical rigor, often entrusting her with urgent, complex tasks that others might hesitate to accept. While this recognition fills her with pride—affirming her skill and dedication—it also comes at a cost. The relentless stream of demanding assignments, each with impossibly tight deadlines, leaves her exhausted, stealing time from family, rest, and the simple joys of daily life. She cherishes the trust placed in her, yet she knows she can make the change to preserve her welfare and manage her time. How can she sustain excellence without sacrificing her own well-being? The answer lies in mastering the art of time management—a challenge we will explore in the chapter ahead.



# 3

## CHAPTER THREE INFORMATION MANAGEMENT

Translators, in the course of their work, are entrusted with a significant volume of information owned by others. This information, with its distinct owner, necessitates a meticulous and conscientious approach from the translator, who functions merely as a user. The responsibility of managing this information commences with the translator's classification process, where data is tagged based on confidentiality degrees. With this initial step, the translator lays the groundwork for secure handling. Subsequently, the translator proceeds to manage the information with due care, adhering to the classification parameters established. It is imperative for translators to exercise caution in their handling of sensitive content, ensuring its confidentiality is preserved throughout the translation process. Equally important is the proper disposal of information once the translation task is completed, demonstrating the translator's commitment to ethical practices and respect for the privacy and rights of the information owner.

**In the Appendix (1), find, read and reflect on Scenario 2.**

### 3.1 Classification of translator's information

#### 1. Strictly Confidential:

- **Definition:** Information falling under this category, if disclosed without permission, has the potential to cause severe harm to the client. This level demands the highest degree of confidentiality.



- ✦ **Handling:** When utilizing computer-assisted translation tools (CAT), translators are required to allocate a distinct memory for this information, with a strict protocol for subsequent deletion to prevent any inadvertent disclosure.

## 2. Confidential:

- ✦ **Definition:** Information categorized as confidential, if disclosed without authorization, may cause harm to the client, although not of a severe nature.
- ✦ **Handling:** Translators using CAT are instructed to allocate a separate memory for confidential information, ensuring its subsequent deletion. Alternatively, with the client's permission, this information can be securely stored in encrypted folders, enhancing protection against unauthorized access.

## 3. Unclassified:

- ✦ **Definition:** This pertains to information obtained from the client but is publicly available and poses no harm to the client if disclosed.
- ✦ **Handling:** Unclassified information, already in the public domain and lacking potential harm to the client, does not require the same stringent confidentiality measures. Translators can exercise a standard level of caution when dealing with such information.

While information that becomes part of the public domain may no longer pose harm to the client, translators must maintain unwavering diligence. Even when details are publicly accessible, the translator must exercise caution, particularly concerning the disclosure of the translator-client relationship. This nuanced approach recognizes that the mere presence of information in the public domain does not nullify the importance of preserving the confidential nature of the professional association between the translator and the client. By prioritizing discretion and discernment, translators uphold not only the integrity of the information they handle but also the privacy and trust integral to their relationships with clients.

When a translator undertakes translation work from a translation office, handling files that belong to a third party, a crucial aspect of professional conduct comes to the forefront. In such instances, the translator is bound by a commitment to confidentiality and should refrain from disclosing any information or details

about this working relationship to the original owner of the files (the third party). This underscores the translator's role as a custodian of sensitive information, recognizing the concept of an "information owner." Even when dealing with a third party's materials, the translator is obligated to respect the confidentiality entrusted by the translation office and should not divulge any details that could compromise the privacy and professional integrity of the collaboration. This understanding reflects the translator's dedication to upholding ethical standards and maintaining the trust placed in them by both the translation office and the original owner of the files. Finally, the confidentiality of information will always survive the end or termination of the Contract.

## **3.2 Handling information**

Translators navigate a meticulous six-step process in handling information, commencing with the moment the translation task is received and extending through its various stages until proper disposal. The first step involves the reception of information, where the translator receives the necessary documents, instructions, and any specific requirements from the client. Subsequently, the information is classified based on its confidentiality degree, distinguishing between strictly confidential, confidential, and unclassified categories. The third step entails the actual translation process, where the translator employs best practices, adheres to client instructions, and applies appropriate translation strategies. Following translation, the proofreading step ensures linguistic accuracy and adherence to quality standards. Post-translation, the fifth step involves securely storing or transmitting the work as dictated by the client's preferences. The final step centres on proper disposal, emphasizing the removal or deletion of any residual information in accordance with confidentiality requirements. This comprehensive approach ensures that information is treated with utmost care, from its initial reception to its final disposition, upholding the highest standards of professionalism and ethical conduct.

### **3.2.1 Key steps**

The handling of information in the translation process unfolds in a meticulous six-step sequence, from the moment it is received to its eventual disposal:

### **3.2.1.1 Receiving Information**

The process begins with the translator receiving essential documents, instructions, and specific details from the client. This communication can occur via email or in-person interactions. Alaa Ahmed, a translator in Egypt, vividly recalls an instance when a client presented a confidential document, expressing concerns about potential leaks through email. In response, the client provided the translator with two options: to receive the documents in printed form or to receive only select portions of the document through email.

Mohammed Odeh, a translator, reflected on a past experience involving a contract with a translation office for a document with technical details. During the course of the project, the client of the translation office directly contacted Mohammed to clarify these technical intricacies. However, as the project progressed, the client provided unsolicited information, including the actual payment made to the translation office, and urged Odeh to expedite the translation process.

In such a scenario, the principle of information receipt becomes paramount. It dictates that a translator should only receive information to the extent that is strictly necessary and nothing beyond that. In this specific case, Odeh is advised to discard any information received directly from the ultimate client and maintain a strict information flow exclusively between himself and his immediate client, the translation office. This ensures the integrity of the professional relationship and upholds the confidentiality expected in the translator-client dynamic.

### **3.2.1.2 Defining the Information Owner**

Identifying the information owner is important because this person is the one who can guarantee the integrity and correctness of the information. It is the same person that takes decision concerning information classification, handling and disposal and provides for the procedures to be followed accordingly. If your client is a translation office or an intermediary, then this could be or could be not the information owner. You would ask the client to provide you with the information security measures and protocols that the information owner wishes to apply in the translation task, minding that you cannot directly contact third parties without the consent of your client. Also notice that some information can be owned by the client, such as glossaries that belong to the translation office or any other instructions and documents.

### 3.2.1.3 Classifying Information

Classification is pivotal and depends on factors outlined by the Information Owner. The default rule is that all information is strictly confidential, unless expressly permitted otherwise. Diligence is crucial in this phase.

### 3.2.1.4 Understanding Information

Here, the translator delves into a comprehensive understanding of the task. This involves obtaining a brief from the client, potentially through meetings, emails, or phone discussions. The translator assesses the feasibility of deadlines, determines their specialization in the subject domain, identifies the target audience and their requirements, seeks technical details, studies Register characteristics, and leverages the client's glossary for consistency. The translator also decides on the collaborative approach, whether to work individually or in a team. Protocols for quality assurance and control are established, and the translation strategy is chosen based on the intended purpose.

### 3.2.1.5 Handling Information in the Translation Process

The actual translation process unfolds with the translator applying best practices, client instructions, and the chosen translation strategy. This involves linguistic precision, cultural sensitivity, and adherence to quality standards.

### 3.2.1.6 Disposal of Information

Once the translation task is complete, proper disposal protocols are implemented, ensuring the removal or deletion of any residual information in adherence to confidentiality requirements. This step emphasizes the translator's commitment to ethical practices and the safeguarding of client data.

*Maha received a translation task from Matrixa Trans Co. to translate Paulo Coelho's renowned novel "The Alchemist." In the initial stages, Maha defined Matrixa Trans Co. as the information owner, being the client entering into the contractual arrangement.*

*Classifying the information, Maha, guided by Matrixa Trans Co.'s instructions, observed the default rule of strict confidentiality for all information. In understanding the information, Maha engaged in discussions with the client, discovering that the target audience was Arabic readers, potentially introducing cultural mismatches. To address*

*this, Maha strategically decided to employ a free translation approach to capture cultural nuances.*

*Acknowledging that the initially proposed 20-day deadline might be insufficient, Maha successfully negotiated with Matrixa Trans Co. for an extension to 40 days. During the translation process, Maha encountered some ambiguous passages in the novel and chose to communicate with the client, Matrixa Trans Co., as the information owner, instead of directly with the author.*

*Upon completing the translation, Maha delivered the work to Matrixa Trans Co. and adhered to the agreed-upon disposal protocol by deleting the translation from her system after 20 days from the delivery date. This disposal arrangement was established as part of the agreement with Matrixa Trans Co., underscoring Maha's commitment to ethical practices and the safeguarding of client information throughout the entire translation journey.*

A translator is likely to possess a substantial amount of data in her archives comprising translated files. These files play a crucial role in enabling the translator to offer revised versions of previous translations for the same client and can also be valuable for upcoming similar projects. This data, though unclassified, forms a significant part of the translator's professional capital. Deciding to discard this information is a complex choice, as it involves relinquishing a portion of the translator's accumulated expertise. Careful discretion is essential, and the translator should judiciously select the material she intends to retain permanently.

### 3.2.2 Pre-translation stage

#### 3.2.2.1 Tools

Prior to embarking on the actual translation work, a translator engages in meticulous preparations using various tools and approaches:

1. **Dictionaries:** Translators utilize dictionaries to ensure accurate definitions, nuanced meanings, and appropriate usage of terms in both source and target languages.



2. **Applications:** Language applications aid in verifying terminology, grammar, and syntax, enhancing the overall quality of the translation.
3. **Computer-Assisted Translation Tool (CAT):** CAT tools streamline the translation process, offering features like translation memories and term bases for consistency and efficiency.
4. **CAT Memories:** These memories store previously translated segments, allowing for consistency and reducing redundancy in the translation.
5. **CAT Term Bases:** Compiled lists of industry-specific terms assist in maintaining consistency and adhering to client preferences.

### 3.2.2.2 Procedures

#### Scanning

1. **Objective:** Gain an initial understanding of the task and establish key queries for the client.
2. **Actions:** Conduct a quick review of the material to define potential challenges, ask about feasibility within the deadline, and determine the appropriate pricing.

#### Skimming

3. **Objective:** Gain an initial understanding of the main ideas and establish key queries for the client; estimate own expert knowledge of the subject matter.
4. **Actions:** Conduct a skimming review of the material to define potential challenges, ask about feasibility within the deadline, and determine the appropriate pricing.

#### Cautious Look

5. **Format of documents:** Translation of Excel® sheets, PowerPoint® slides and PDF files can prove to be extremely difficult and time consuming, especially in the Arabic-English language pairs. Tables, images and other such stuff can add heavy burdens on the translator, but can also require the translator to recruit third-parties to assist in the process. Consult with the client, add more time and of course more fees.

6. **Lexical and Structural Assessment:** Selecting two random paragraphs, the translator translates them to assess potential challenges in lexis, terms, organization of ideas, coherence, and cohesion.
7. **Identification of Problematic Terms:** Note down any problematic terms for further research or clarification from the client.
8. **Sample Translation Submission:** Share the sample translation with the client, seeking their approval and ensuring alignment with their expectations.

### 3.3 Storage of information

Translators store information in their physical and electronic forms. If stored electronically, the translator takes care of ensuring that no haphazard leakage will happen from her side. For that reason, arrangements should be made with the client. If information is Strictly Confidential, the client may choose to have the translator be physically present in the client's premises to do the translation.

#### 3.3.1 Storage of physical material

In the contemporary landscape, where translators increasingly depend on electronic channels for their workflow, the archival of physical written material retains its relevance. Beyond the necessity of printing documents for meticulous cross-checking, there are multifaceted scenarios where physical documentation plays a crucial role. Consider instances where legal or regulatory paperwork is presented in physical form, requiring translators to engage with tangible copies. Additionally, within corporate environments, access to physical materials like employee manuals, training documents, and procedural guidelines remains commonplace. Moreover, specialized industries may involve handling intricate technical manuals, research papers, or proprietary documentation that often exist in physical formats. Translators dealing with multilingual marketing campaigns might receive hard copies of promotional materials or advertisements, necessitating efficient storage practices. Furthermore, archival storage proves invaluable in situations involving long-term projects, where revisiting hard copies facilitates a comprehensive understanding of evolving terminology and



contextual nuances. To maintain efficiency, translators may also need to organize and store physical records related to project timelines, client communications, and contractual agreements. In essence, a nuanced approach to storage that acknowledges both the digital and physical realms ensures adaptability, facilitating seamless access to diverse forms of information while upholding the confidentiality and integrity of the translation process.

Engaging in suboptimal practices when it comes to storing information poses inherent risks for translators. Inadequate measures regarding access control may lead to unauthorized personnel gaining entry to sensitive materials, compromising the confidentiality of translations and client information. Without a secure system in place, the risk of leakage of confidential data increases, potentially harming professional relationships and the reputation of the translator. Moreover, poor storage practices heighten the likelihood of document loss, both in physical and digital domains. Misplacement or accidental destruction of hard copies could result in critical information being irretrievably lost, while insufficient digital safeguards may expose electronic files to corruption, cyber threats, or accidental deletion. The repercussions of such lapses extend beyond the immediate inconvenience, impacting the translator's credibility and potentially leading to legal consequences. Therefore, establishing robust protocols for access control, implementing encryption for electronic files, and instituting systematic backup procedures are essential components of a comprehensive information storage strategy, mitigating the risks associated with unauthorized access and data leakage.

1. **Organizational System:** Implement a systematic and organized filing system for hard copies. Use clearly labelled folders, binders, or cabinets to categorize and store materials based on projects, clients, or themes.
2. **Physical Security:** Store written material in a secure and locked location, such as a filing cabinet or a dedicated office space. Limit access to authorized personnel only.
3. **Climate Control:** Maintain a controlled environment to prevent damage from temperature, humidity, and sunlight. Extreme conditions can lead to deterioration of paper, ink, or other materials.

4. **Archival-Quality Storage:** Use archival-quality materials for storage, such as acid-free folders and boxes. These materials help preserve the integrity of the documents over time.
5. **Protection from Environmental Factors:** Keep written material away from potential hazards, such as water sources, direct sunlight, and pollutants. Consider using plastic sleeves or laminating important documents for additional protection.
6. **Inventory Management:** Keep an inventory of your physical documents, especially if you have a large collection. This helps you easily locate specific materials when needed.
7. **Handling Guidelines:** Establish guidelines for handling written material to minimize wear and tear. Encourage the use of clean hands and, if necessary, provide gloves for handling delicate or valuable documents.
8. **Regular Maintenance:** Periodically inspect your written material for signs of damage or deterioration. Implement a regular maintenance schedule to address any issues promptly.
9. **Document Duplication:** Consider making duplicates or photocopies of important documents, especially if they are irreplaceable. Store the duplicates in a separate location to serve as a backup.
10. **Access Control:** Control access to your physical workspace to prevent unauthorized individuals from handling or viewing sensitive written material. This is particularly important for confidential or proprietary information.
11. **Disposal Procedures:** Develop secure and environmentally friendly procedures for document disposal when necessary. Shred or securely dispose of documents that are no longer needed, especially if they contain sensitive information.

### 3.3.2 Electronic storage

In the ever-evolving landscape of translation work, the digital realm has become the primary arena where linguistic artistry meets technological efficiency. As translators increasingly navigate the intricate webs of electronic communication, the need for robust and secure storage practices has never been more crucial. While the allure of digital convenience is undeniable, it comes with a responsibility

to implement stringent measures for the protection of sensitive information. In this article, we delve into the imperative of applying best practices for electronic storage, acknowledging that the vast majority of a translator's work now unfolds in the digital domain. From encrypted file exchanges to the utilization of secure online platforms, we explore how translators can fortify their virtual arsenals to ensure the confidentiality, integrity, and accessibility of the delicate tapestry of words they weave.



### **3.3.2.1 Encryption for Confidentiality**

When dealing with confidential translation work, one of the first lines of defence is utilizing encryption. The exchange of translation files in encrypted formats ensures that even if unauthorized access occurs, the content remains protected. Translators and clients should mutually agree on secure encryption methods to safeguard the confidentiality of the information being shared.

### **3.3.2.2 Caution with Thumb Drives**

While thumb drives are convenient for transferring files, they come with inherent risks. The susceptibility to viruses, trojans, and crypto viruses can compromise not only the translator's files but also the client's sensitive information. Additionally, the physical small size of thumb drives makes them prone to loss and unauthorized access. To mitigate these risks, it is advised that translators and clients opt for more secure means of file transfer, especially when dealing with confidential data.

### **3.3.2.3 Secure Online Transfers**

For secure file transfers, online channels are recommended. For smaller files, exchanging information through encrypted emails can be an effective option. Larger files can be safely transferred through third-party services that prioritize security. This ensures that files are protected during transit and reach their destination without the risks associated with physical storage devices.

#### **3.3.2.4 Embracing Cloud Storage Solutions**

Cloud storage has emerged as a reliable and efficient option for storing translation information securely. Services like OneDrive and Dropbox offer high levels of security, protecting data from unauthorized access. The added advantage of cloud storage is the ability to sync files with updates on the user's computer, providing seamless collaboration and version control. Some clients may even set up secure servers using the FTP protocol for enhanced security and control.

Similar caution should be given when storing data on portable hard disk drives. These devices are inherently sensitive and susceptible to damage, particularly if subjected to accidental drops or physical impact. Unlike their more robust counterparts, such as solid-state drives, portable hard disks contain delicate spinning disks and read/write heads that can be easily disrupted by sudden shocks. Therefore, it is crucial to handle these storage devices with care and avoid exposing them to rough handling or abrupt movements. Employing protective cases and ensuring a stable environment during use and storage can significantly reduce the risk of damage and contribute to the longevity of the portable hard disk drive, safeguarding the important data stored within.

#### **3.3.2.5 Caution with third parties' software**

Exercising diligence is crucial when using third-party software, particularly artificial intelligence translation and editing applications. Once you input your information into these tools, it loses its confidentiality, becoming susceptible to use, retrieval, or manipulation by third parties. The warning underscores the importance of being cautious with sensitive or confidential data, as the information may no longer be under your control once entered into these external applications.

#### **3.3.2.6 Email as a Storage Option**

Emails can also serve as a means of storing information securely. Translators can utilize their sent folders for easy reference or send important files to themselves, effectively creating a backup within their email system. While emails are suitable for certain use cases, it's essential to consider the file size limitations and potential security vulnerabilities associated with traditional email services.

### 3.3.2.7 Computer-Assisted Translation Tools (CAT Tools)

Computer-assisted translation tools store information in memories that take the format of TMX. It is crucial to follow best practices in creating these TMX files to prevent loss or destruction. Regular backups are recommended to ensure the preservation of translation memories, safeguarding against potential data loss and facilitating efficient retrieval. Needless to say, confidential data should be stored in their own separate TMXs.

**In the Appendix (1), find, read and reflect on Scenario 3.**

## 3.4 Storage art and science

The art of storing information is both a preventive measure and a strategic shield against potential loss or compromise. The implementation of secure storage practices serves as a proactive step to prevent the inadvertent loss of data, particularly when dealing with confidential and intricate translation materials.

However, the responsibility extends beyond mere prevention; translators must also adopt well-studied storage protocols to effectively mitigate the impact of any information leakage or loss that may occur. By incorporating encryption for confidentiality, utilizing secure online transfers, embracing reliable cloud storage solutions, and exercising caution with physical devices, translators can fortify their defences against potential threats. Moreover, the meticulous handling of computer-assisted translation tools, including regular backups of TMX files, adds an additional layer of resilience to the translator's arsenal.

In this digital age, where the delicate balance between convenience and security must be maintained, the role of the translator extends beyond linguistic expertise to encompass a vigilant custodianship of information. By adhering to best practices, translators not only protect the integrity and confidentiality of their work but also fortify themselves against the unforeseen challenges that may arise in the complex landscape of electronic communication. The combination of prevention and mitigation, woven into the fabric of storage protocols, ensures that the translator remains not only a linguistic maestro but also a guardian of the invaluable information entrusted to their care.

## 3.5 Storing files in your computer

Efficiently managing translation files is an essential aspect of a translator's workflow, particularly when dealing with iterative changes requested by clients. Wajeeh, an experienced translator, has devised a systematic procedure to organize and version-control his documents, ensuring seamless collaboration and easy retrieval of files. Here's a closer look at Wajeeh's method for efficient storage and versioning of translation files.

### 3.5.1 Setting the Foundation- Organizing Files

Wajeeh begins by organizing his computer into three partitions. Partition C is for the operating system, Partition D is for the program files and Partition E is for the working files. This separation ensures clarity and prevents the mingling of operational and program files with crucial translation documents. Within this dedicated partition (Partition E), he creates a main folder for each client to maintain a structured file system.

### 3.5.2 Sub-Folder Structure

Under the client-specific folder named after client "Legality Corp", Wajeeh establishes three sub-folders:

1. **English into Arabic Projects:** This sub-folder is dedicated to storing all translation projects from English into Arabic.
2. **Arabic into English Projects:** Reserved for projects requiring translation from Arabic into English.
3. **References:** A repository for any reference materials, instructions, glossaries, memories, or relevant documents to aid in the translation process.

### 3.5.3 File Naming and Versioning

For each new project, Wajeeh meticulously follows these steps:

1. **Create a Sub-Folder for the Project:** Within the relevant language project folder, a sub-folder is created for each specific project. For instance, "Broadening Partnership."

2. **Apply nomenclature Conventions:** The original file received from the client is renamed to reflect its source and version: “Broadening Partnership En v1” (En for English, V1 for the initial version).

3. **Commence Translation:** Start the translated file with a specific name, such as “Broadening Partnership Ar V1” (Ar for Arabic, V1 for the initial translation version), including the date of initiation.

4. **Regular Version Updates:** To avoid data loss and track revisions, Wajeeh saves the file periodically:

- Save the file as is.
- Save the file as a new version, such as “Broadening Partnership Ar V2 on 12 Dec 2023.”
- Next day, the file is named “Broadening Partnership Ar V3 on 13 Dec 2023.”

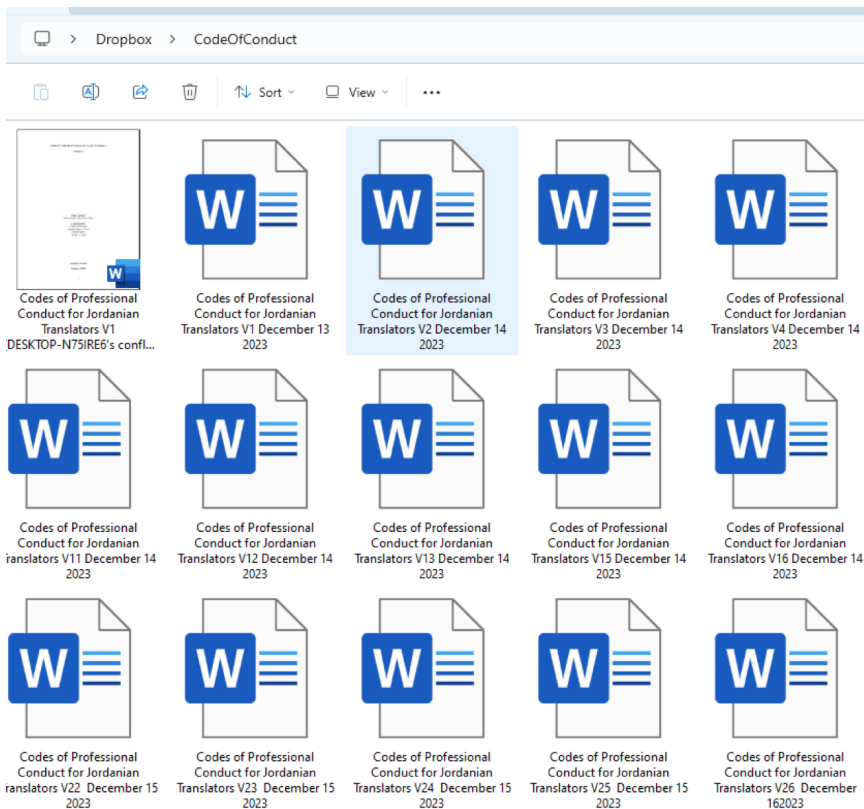


Figure: Versioning your files

### 3.5.4 Backup Procedures

To enhance data security and prevent potential loss, Wajeeh incorporates a robust backup strategy:

- ✦ **Cloud Storage:** Regularly save the latest version of the document in a Dropbox or OneDrive folder. This ensures that the most recent iteration is safely stored in the cloud, offering an additional layer of security.
- ✦ **Storing CAT files:** Wajeeh, in his adept utilization of MemoQ® for translation tasks, adheres to meticulous backup practices to safeguard projects, memories, and termbases. His methodical approach ensures data integrity and provides a robust contingency plan. Here's a closer look at Wajeeh's best practices:
  1. **Partition E Configuration:** To streamline and organize MemoQ® data, Wajeeh configures the tool to store projects, memories, and termbases in Partition E of his computer. Within Partition E, he establishes a dedicated folder named "MemoQ®."
  2. **Structured Folder Hierarchy:** Within the MemoQ® folder, three sub-folders are meticulously crafted:
    - a. **Projects:** Devoted to storing all ongoing and completed translation projects.
    - b. **Memories:** Reserved for housing translation memories, facilitating consistent and accurate translations.
    - c. **Termbases:** A designated repository for termbases, aiding in maintaining linguistic consistency across projects.
  3. **SyncToy® Synchronization:** To ensure real-time updates and maintain consistency between the local MemoQ® folder on the desktop and a secure backup location, Wajeeh employs SyncToy®. This synchronization tool automates the process of updating the backup stored in a dedicated Dropbox account.

In Wajeeh's meticulous approach to translation and data management, his organizational prowess shines through. By implementing dedicated partitions, structured folders, and utilizing synchronization tools like SyncToy®, Wajeeh showcases a commitment to maintaining the integrity and accessibility of his

translation projects. His thoughtful practices, particularly in configuring MemoQ® for efficient storage and employing robust backup strategies, reflect a translator who not only understands the intricacies of language but also appreciates the critical role of secure data management in the digital age.

Effective storage of information is not just a technical requirement but a strategic imperative, especially in fields like translation where confidentiality, accessibility, and version control are paramount. Wajeeh's practices underscore the importance of systematic organization, naming conventions, and proactive backup strategies. As digital landscapes evolve, the fusion of preventive measures and responsive protocols becomes the linchpin of successful information storage. From meticulous folder structures to embracing cloud solutions, the overarching theme is clear: a well-informed and proactive approach to storage is the cornerstone for safeguarding valuable data in the ever-evolving world of information exchange.

### 3.5.5 Needle in the haystack

The life of a translator is often intertwined with a multitude of digital files stored within the confines of her computer.

As the translator tirelessly works on various projects, a plethora of documents, drafts, and translations accumulate over time, creating a virtual labyrinth of linguistic endeavors. However, the challenge arises when the need to locate a specific file emerges, akin to a quest for a needle in a haystack. The sheer volume and diversity of files can turn the seemingly simple task of retrieval into a time-consuming and frustrating ordeal.

To alleviate this issue, the translator can adopt a systematic organization strategy. Implementing a well-structured folder hierarchy based on projects, clients, or file types can significantly enhance the efficiency of file retrieval. Additionally, utilizing descriptive and standardized file naming conventions can further streamline the search process. Embracing digital tools such as file management software or employing tagging systems can also prove invaluable in creating an organized digital workspace. By incorporating these solutions, the translator can transform the digital chaos into a more manageable and navigable repository of linguistic creations.



Organizing digital files is a highly personal endeavour, and each translator may develop a unique system tailored to their preferences and workflow. Creativity and innovation play crucial roles in crafting an efficient and intuitive file organization method. A translator should not hesitate to experiment with different approaches, discovering what resonates best with their work style. The ability to ‘pick out the needle from the haystack’ at first glance relies on implementing inventive solutions. This might involve color-coding files, creating personalized tags, or even utilizing mnemonic devices to enhance recall. Embracing technology, such as employing advanced search features or leveraging artificial intelligence tools for document categorization, can also contribute to a translator’s ability to swiftly locate specific files. Ultimately, the quest for an optimal organization system is a dynamic and evolving process that demands adaptability and a willingness to explore novel solutions.

### 3.6 Disposal

In the intricate world of translation services, where linguistic expertise meets the responsibility to safeguard client information, the process of information disposal holds paramount importance. Once the contractual legal relationship for a translation task concludes, it becomes the ethical duty of the translator to ensure the secure disposal of any client documents or confidential information, including Computer-Assisted Translation (CAT) memories. This process extends beyond digital files to encompass physical records, with the overarching goal of maintaining client confidentiality and trust. Not all information is confidential, and more often than not, translators keep files in their custody for future reference (**See 3.2.1(f) on information disposal**)



#### 3.6.1 Digital Hygiene- A Priority for Translators

In the digital age, where most translation tasks involve electronic documents and communication, translators must be vigilant in purging all traces of client-related information from their computer systems and email accounts. This includes not only the actual documents but also any CAT memories generated during the translation process. Digital hygiene not only protects the client’s proprietary information but also safeguards the translator against potential data breaches or unauthorized access.

### **3.6.2 Shredding the Physical Trail**

For those instances where paper documents were part of the translation task, translators must adopt a secure approach to dispose of physical records. Shredding is a reliable method, reducing confidential information to irretrievable fragments. Proper disposal practices extend to ensuring that shredded materials are appropriately recycled or discarded, adhering to environmental standards while maintaining the highest level of data security.

### **3.6.3 Memories and Recollections- The Mental Clean-up**

While the tangible disposal of documents is crucial, translators must also address the less tangible aspects—the memories and mental recollections associated with the client’s work, including CAT memories. Depending on the classification of information, translators may need to delete any memory traces that could compromise client confidentiality. This could involve wiping linguistic nuances or specific details that might inadvertently surface in future projects.

### **3.6.4 CAT Memories- Retention Protocols**

An additional layer of complexity arises with the inclusion of CAT memories. These memories, which enhance translation efficiency and consistency, must be handled with care. Translators should establish clear agreements with clients regarding the retention or deletion of CAT memories. If requested by the client, CAT memories should be promptly deleted. Alternatively, the translator and client may agree upon a specific protocol for the retention of CAT memories, aligning with legal requirements or industry standards.

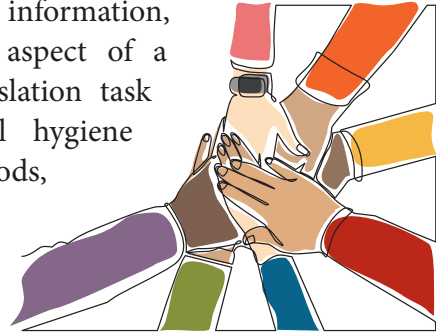
### **3.6.5 Establishing Clear Agreements on Retention Periods**

One critical aspect often overlooked is the establishment of clear agreements with the client regarding how long the translator may retain information in their own system, including CAT memories. Different clients may have varying preferences or legal requirements regarding data retention. Therefore, prior to commencing any translation project, it is prudent for translators to discuss and agree upon a defined retention period that aligns with both parties’ expectations.

### 3.6.6 The Collaborative Approach

Transparent communication is the linchpin of responsible information disposal, especially concerning CAT memories. Translators and clients should openly discuss and document their expectations regarding the handling and disposal of confidential information, including CAT memories. This proactive approach not only mitigates potential misunderstandings but also establishes a foundation of trust between both parties.

In conclusion, the responsible disposal of information, including CAT memories, is an integral aspect of a translator's ethical obligations once a translation task concludes. By adopting thorough digital hygiene practices, secure physical disposal methods, addressing memories and recollections, and establishing clear agreements on CAT memory retention, translators can uphold the highest standards of client confidentiality. Ultimately, a collaborative and communicative approach ensures that the delicate balance between transparency and data security is maintained throughout the entirety of the translator-client relationship.





# 4

## CHAPTER FOUR LEGAL RELATION

### 4.1 Scenario- Math Missteps

*Yusof Ahmed, a skilled translator specializing in technical content, received a commission from EduBooks, a prominent education company, to translate a critical math textbook from English to Arabic. The textbook was known for its clarity and precision, making it an essential resource for students. Yusof meticulously translated the complex mathematical concepts, ensuring accuracy in the equations and explanations. However, in the process, a few critical typing errors slipped through Yusof's attention, altering the mathematical formulas and creating confusion in some chapters. Unfortunately, these errors went unnoticed during the review process at EduBooks. EduBooks, eager to provide students with a valuable educational resource, proceeded to print hundreds of copies of the translated math textbook. The books were distributed to schools and educational institutions. Soon after, educators and students discovered discrepancies in the mathematical formulas, leading to confusion and errors in problem-solving. EduBooks, realizing the severity of the situation, initiated a widespread recall of all printed copies, causing disruptions in the academic community.*

## Legal Implications

### 1. Contractual Obligations

- ✦ **Yusof's Obligations:** Yusof may face legal consequences for breaching his contractual obligation to provide an accurate translation of the math textbook. The errors may be considered a failure to meet the agreed-upon standards.
- ✦ **EduBooks' Remedies:** EduBooks has the right to seek remedies for the financial losses incurred due to the recall and reprinting of the math textbooks. Contractual clauses related to the accuracy of technical content may come into play.

### 2. Professional Liability

- ✦ **Translator's Professional Liability:** Yusof's professional reputation could be at stake, especially in the field of technical translation. EduBooks might consider pursuing professional liability claims for the harm caused to its reputation as an education provider.
- ✦ **Client's Damages:** EduBooks could claim damages not only for the cost of reprinting but also for potential harm to its standing in the education sector, including any negative impact on student learning outcomes.

### 3. Negligence and Good Faith

- ✦ **Negligence:** Legal analysis may involve determining whether Yusof acted negligently in translating the math book, especially considering the precision required in technical content. EduBooks could argue that Yusof failed to meet the standard of care expected in the industry.
- ✦ **Good Faith:** Yusof might assert that he acted in good faith and that the errors were unintentional. The legal outcome could hinge on whether the court deems the mistakes as genuine errors or as a result of a lack of due diligence.

In summary, this adapted scenario involving a math textbook highlights the potential legal ramifications in a translator-client relationship, emphasizing contractual obligations, professional liability, and considerations of negligence, all within the context of technical content.

## 4.2 Definition of legal relation

In general terms, a legal relation is formed when two or more parties interact in a way that creates legal rights and obligations between them. This can happen through various means, such as contracts, agreements, or other legal arrangements. In the case of a translator-client relationship, a legal relation is established when the translator agrees to provide translation services, and the client agrees to compensate the translator for those services.

## 4.3 Transactions involving money

When money is involved in a transaction, it raises the issue of legal relation because, in the eyes of the law, no person is allowed to receive money from another without legal justification. This principle originates in Arab jurisprudence from the rule “Your property is haram”, meaning that acquiring property is illegal unless otherwise proven to be halal. Applying this on translation, a translator may not ask for fees for things she has not done. A client may not deduce amounts from the translator’s fees without legal justification.

## 4.4 Rights and Obligations in Translator-Client Relationship

Obligation is a legal bond between the translator and client, whereby one of them is **responsible** for the payment of money to the other. Therefore, she is a **debtor**. In this sense, obligation is the bond that ties a debtor to a creditor and it consists of two elements: **responsibility and debt**. In the context of a translator-client relationship, the legal relation involves specific rights and obligations for both parties. Here are some key considerations:

### 1. Translator’s Obligations

- ✦ **Performance of Services:** The translator has an obligation to provide the agreed-upon translation services with a certain level of quality and within the specified time frame.



- ✦ **Professionalism:** The translator is expected to adhere to professional standards and ethics in delivering the services.
- ✦ **Meet an end:** Clients require translators to give them a result. If the resulting product is not up to the standards agreed upon, the translator will be liable.
- ✦ **Exercising due diligence:** Under rare circumstances, the translator is required to do his best to perform a professional translation, without bearing any liability if the translation was not up to the standards.
- ✦ **Money matters:** A translator is strongly advised to question the credibility of a client who repeatedly fails to pay for multiple translation jobs, especially when the unpaid amount reaches a significant sum (e.g., \$500). It is recommended that the translator refrain from accepting further work from the same client until all outstanding payments are settled in full.

## 2. Client's Obligations

- ✦ **Payment:** The client is obligated to compensate the translator for the services rendered. This includes adhering to the agreed-upon payment terms and amounts.
- ✦ **Providing Information:** The client may have an obligation to provide necessary information and materials to facilitate the translation process.

### 4.4.1 Five Sources of Obligation in Civil Law

In civil law, obligations arise from various sources. Here are the five common sources and how they may apply to the translator-client relation:

1. **Unilateral volition:** A translator may translate the translated work or perform extra services without first procuring the consent of the client.
2. **Quasi-Contractual Obligations (undue enrichment/ enrichment without cause):** Even in the absence of a formal contract, the law may imply obligations if one party benefits at the expense of the other.
3. **Delictual Obligations (tort):** If one party causes harm to the other through negligence or intentional actions, it may give rise to obligations.

4. **Obligations Imposed by Law:** Certain obligations may be imposed by law to ensure fairness and justice, regardless of any specific agreements between the parties.
5. **Contractual Obligations:** The translator and client should enter into a contract that outlines their rights and duties, including the scope of work, compensation, and deadlines.

Understanding these sources of obligation helps clarify the nature of the legal relation between the translator and the client, providing a legal framework for their interaction. It's important for both parties to be aware of their rights and responsibilities to avoid disputes and ensure a smooth and lawful transaction.

#### 4.4.2 Unilateral volition

The term “unilateral volition” refers to a concept in civil law where one party, either the translator or the client, has the power to create or terminate an obligation of the other party without the need for the other party's consent. This concept is closely related to the idea of unilateral acts that have legal consequences.

Let's break down this idea in the context of a translator-client relationship:

##### 1. Two types of unilateral volition

- **Creation of Obligation:** In the context of a translator-client relationship, a unilateral volition may occur when one party, for example, the translator, takes a unilateral action that creates an obligation for the other party, in this case, the client. A client may also offer to pay the translator a bonus for his work.
  - ▶ **Example (Creation):** If a translator starts working on a translation project without a formal agreement but with the understanding that they will be compensated, the translator's act of commencing work creates an obligation on the client's part to pay for the services rendered.
- **Termination of Obligation:** Conversely, a unilateral volition can also be the termination or rescission of an obligation by one party without the need for the other party's consent.

- **Example (Rescission):** If a client decides to cancel a translation project unilaterally, they may be able to do so under certain conditions, and this act would relieve them of the obligation to continue with the project.

## 2. Legal Implications

- ✳ **Consent and Unilateral Acts:** Unilateral volition operates on the principle that certain actions by one party can unilaterally affect the legal relations between the parties, creating or rescinding obligations. However, the legal validity of such acts may depend on factors like prior agreements, industry standards, and applicable laws.
- ✳ **Contractual Agreements:** While unilateral acts can have legal consequences, it's generally advisable for parties to have clear contractual agreements that define their rights and obligations. Formal contracts help in avoiding misunderstandings and provide a more predictable framework for legal relations.

## 3. Application in Civil Law

- ✳ **Source of Obligation:** Unilateral volition is considered a source of obligation in civil law because it has the potential to generate legal obligations between the parties involved in the absence of a mutual agreement.
- ✳ **Balancing Act:** Legal systems often balance the principle of freedom to create or terminate obligations unilaterally with fairness and justice, ensuring that such acts are not abused to the detriment of one party.

## 4. A case study of translators' ignorance

An instructive tale emerges from the experiences of a translator who, in retrospect, recognizes the pitfalls of self-imposed obligations without due consideration of consequences.

In contemplating past missteps, this translator emphasizes a pivotal lesson: never extend obligations beyond the confines of contractual commitments. The cardinal rule is clear – refrain from obligating oneself to tasks not explicitly outlined in the agreement. It's not about showcasing an abundance of self-initiated benevolence but rather about delivering on the explicit terms of the contract – quality, efficiency, and adherence to deadlines.

The recounted incident revolves around a moment when the translator, in a zealous attempt to exceed expectations, assured the client, “I will not leave anything in the PowerPoint untranslated.” However, the contractual terms only mandated the translation of editable sentences, not the intricate details within non-editable components like SWF files. Unbeknownst to the translator, the PowerPoint slides harboured SWF files, each encapsulating images with embedded words.

The repercussions of this hasty obligation manifested when the client, with surprising insistence, asserted that the promise to translate everything extended to these SWF files. Now facing a dilemma, the translator found themselves obligated to tackle an unforeseen challenge. The SWF files required skills in Adobe Photoshop®, Illustrator®, Flash®, and other software to decompile, translate, and then recompose the files.

The consequences were profound – not only in terms of the translator’s time and effort but also in significant financial losses. The need to acquire new skills and invest substantial resources to fulfil an unanticipated obligation became an unintended burden. This scenario serves as a stark example of what can happen when translators engage in unilateral volition, obligating themselves to fulfil tasks that are not explicitly outlined in the original agreement.

In the aftermath of this ordeal, the translator advises peers to exercise prudence and restraint, advocating for a strict adherence to the terms laid out in the contract. Rather than obligating oneself to sweeping promises, the focus should be on exceeding expectations within the established framework. Clients, the translator asserts, are impressed not by unrequested acts of generosity but by the consistent and impeccable delivery of contracted services. The lessons learned underscore the importance of cautious obligation and the potential hazards of venturing beyond the well-defined boundaries of professional obligations in the complex world of translation.

#### **4.4.3 Undue enrichment**

A person (A) is considered to have unjustly enriched themselves at the expense of another person (B) when A’s assets increase without legal justification and at the detriment of B. To illustrate, envision a scenario where you withdraw money from the bank only to realize later that the bank made an error, deducting the funds from someone else’s account. In such a case, A (you) has acquired a benefit without legal grounds, unjustly enriching at the expense of B.

Applying this concept to the field of translation, consider Translator Hasna, who received a Translation Memory (TMX) from a client without obtaining consent for its use. This TMX allowed Hasna to retrieve 90% of exact matches in an ongoing translation project. As the client did not authorize the translator's utilization of the TMX, Hasna is perceived to have enriched herself at the expense of the client. In such instances, ethical practice would dictate that the translator should offer the client a significant discount as a form of compensation for the unapproved use of client resources.

Conversely, if a client requests a translator to translate a promotional document for their products, and the translator, in a gesture of goodwill, shares a previous work she authored, the client must adhere to the terms of use outlined by the translator. If the client proceeds to use the shared work in its campaign without notifying the translator, and subsequently gains earnings, this constitutes unjust enrichment at the expense of the translator.



Undue enrichment becomes more apparent when it comes to commissions. A commission refers to the amount an intermediary request for connecting someone with a client. According to our code of conduct, translators are strictly forbidden from deducting commissions from their colleagues under the guise of client referrals. If a situation arises where Translator (A) agrees to pay another individual (B), whether a translator or not, a commission, such an agreement will be considered null and void.

In cases where person (B) has genuinely made efforts to secure a client for Translator (A), the term 'good offices fees' will be used instead of 'commissions.' Nevertheless, when an individual, whether a translator or not, requests payment from a translator for intermediary good offices, the following are recommended to apply:

1. The intermediary will not be held responsible towards the client or the translator.

2. The intermediary is not party to the translator-client contract, so any contract provision stating the intermediary's liability will be considered null and void.
3. The translator and the intermediary must transparently and effectively disclose their financial relationship to the client.
4. If the intermediary provided unsolicited services to secure a translation task or client for Translator (A), no fees will be due unless Translator (A) has been thoroughly informed and has given informed consent before commencing the work.
5. Regardless of any provision allowing for 'good offices' payment, the compensation for the intermediary must be reasonable, with the translator having the authority to determine its reasonableness.
6. In case of a dispute regarding the reasonable compensation amount, an arbiter will be consulted, and their decision will be final.
7. It is strictly prohibited for the translator or intermediary to agree on compensation based on anticipated long-term profits. Compensation will only be defined concerning short-term translation tasks.

In summary, unjust enrichment occurs when one party benefits at the expense of another without legal justification. This principle applies broadly, whether in financial transactions or professional relationships such as translation services, where ethical conduct and transparency are essential to maintaining trust and fairness.

#### **4.4.4 Tort**

Tort, in simple terms, reflects a legal principle emphasizing that individuals should not cause harm to others. When harm occurs, seeking redress isn't about resorting to revenge or retaliatory actions. Consider a scenario where someone throws a stone at your car windshield, causing damage. The harm is evident, but seeking justice doesn't involve responding by causing harm to the original wrongdoer, like throwing a stone at their house windows. This principle rejects the notion of tit-for-tat, emphasizing that logical and legal remedies should prevail over retaliatory actions.

Regrettably, in the realm of translation services, breaches of contract can ignite strong emotions, leading translators or clients to contemplate harmful actions

such as tarnishing reputations on social media or labelling each other as frauds. It's crucial to recognize that when either party feels harmed, the appropriate avenues for resolution are amicable discussion, mediation, or, in extreme cases, legal proceedings. Escalating the situation through harmful actions only perpetuates the conflict. Legal representatives may play a key role in resolving disputes, and during such times, a temporary cessation of direct communication can prevent further escalation.

Significantly, misconceptions surrounding the extent of harm are often exaggerated, particularly in the realm of translation services. It's not uncommon for clients to label a translator's mistakes as 'disastrous' or 'catastrophic,' emphasizing the severity of the perceived harm. Frequently, assertions are made that a single word error can lead to colossal financial losses, potentially reaching millions. While there are cases where inaccuracies can have significant consequences, it is essential to approach such claims with caution, recognizing that not every mistake results in catastrophic outcomes. One must discern between genuine harm and hyperbolic characterizations, fostering a more nuanced understanding of the impact of errors in the translation process.

Regrettably, another prevalent fallacy pertains to perceived losses. For instance, a translator, awaiting payment beyond the customary 30 calendar days, may assert that delayed payment prevented them from securing a lower price for an apartment, resulting in increased costs. Conversely, a client might claim that a translator's failure to deliver a translation on time led to the loss of a government tender with 'anticipated' earnings in the tens of thousands. Anticipated earnings, however, are speculative in nature and should not serve as a valid measure of harm caused by a translator's negligence. Distinguishing between actual harm and subjective perceptions is crucial to ensuring fair and reasonable assessments of the impact of errors in a translator-client relationship.

In any ethical relationship, both parties must muster the courage to confront the consequences of their mistakes. It requires acknowledging errors and actively seeking resolution through legal means, mediation, or constructive dialogue. Retaliation only perpetuates the cycle of harm, making it imperative for individuals in a translator-client relationship to approach disputes with a commitment to ethical conduct, mutual respect, and a focus on finding equitable solutions rather than engaging in harmful actions.

#### 4.4.5 The law

Undoubtedly, the relationship between a translator and their client must align with and uphold the relevant laws applicable in their respective countries. It is fundamental that neither party engages in any activities that violate legal statutes. There are myriad examples illustrating this imperative. For instance, a translator should steadfastly decline to translate a document intended to incite sedition or unrest within their own country, recognizing the legal and ethical ramifications of such an action.

Similarly, clients bear the responsibility of ensuring that the translation process adheres to legal standards. A client should never endorse or accept a translator working on their project if the translation involves the use of counterfeit software, especially within the client's premises. Such practices contravene legal norms and can lead to severe consequences for both the client and the translator. Emphasizing a commitment to lawful conduct is paramount for fostering a professional, ethical, and legally compliant translator-client relationship.

#### 4.4.6 Contractual obligations

##### 4.4.6.1 Contract vs Contract Document

A contract, contrary to a widespread misconception, need not always be a written document. Often, what people commonly refer to as a contract is, in fact, a written documentation of the contract itself. At its core, a contract is an immaterial and abstract concept representing the legal relationship between two parties who willingly agree to be bound by certain conditions.

Consider the context of translation services as an example. In this scenario, there are two parties involved: the client and the translator. The client proposes to the translator the task of translating a document, and the translator promptly accepts the offer. Prior to this agreement, they likely negotiated and settled on a price, perhaps deciding on a rate of 25 USD for translating a 250-word page.



While a contract can be derived from email or WhatsApp correspondence between the parties, it can also exist in a pre-written form. Suppose there is a written contract document; its purpose is to provide clarity to the extent that both the client and the translator can refer to it in case of disputes or differences. Key elements within the contract should include:

1. **Offer and Acceptance:** Clearly stating that the client offered a document for translation and that the translator accepted this offer.
2. **Consideration:** Specifying that the translation services are provided in exchange for a consideration, often denoted by a specific monetary amount.

It's important to note that adhering strictly to a rigid format for a contract document is not mandatory, but it proves beneficial in saving time and preventing potential losses. A well-documented contract serves as a reference point, offering a comprehensive understanding of the terms agreed upon by both parties. In the complex realm of legal relationships, a clear and concise contract can be invaluable in avoiding misunderstandings and resolving disputes efficiently.

#### 4.4.6.2 Why contract should be written

Once upon a time, a talented Arabic translator named Layla was known for her exceptional linguistic skills and meticulous attention to detail. One day, she received an intriguing proposal from a translation agency called Vertical Translations, known for its diverse range of projects. Vertical Translations approached Layla with an offer to translate a book on rare herbs in Jordan. Eager to take on the challenge, Layla, with her deep passion for language and botanical knowledge, agreed to the task.

However, mindful of delivering a high-quality translation, she informed the client, "Of course, I will have to send it after translation to a scientific editor." The client, appreciative of Layla's commitment to quality, responded, "Well, it is up to you, of course. Thank you for your care." They discussed the terms further, settling on a rate of \$30 per page. Layla committed to completing the translation within 30 days, a timeline agreed upon by the client. Additionally, the client emphasized the need for the translation to be in a publishable format for the Arabic language market, a condition Layla readily accepted.

As Layla headed home to embark on her translation journey, she envisioned the task ahead. "I will translate 125 pages, as a page is equivalent to 100 words. Within

30 days, plus an additional 20 days for potential disruptions like banking holidays and weekends, I'll send the translation to the editor for \$2000. Therefore, my total fees will amount to \$5000. I'll make sure the translation is not only linguistically accurate but also well-formatted with beautiful colours and fonts to enhance its appeal in the Arabic language market. The formatting, a gift from me, will truly elevate the book, especially considering the current unattractive formatting in the English version."

On the other side of the narrative, the client had a different understanding of the agreement. "The book consists of 50 pages, with each page equivalent to 250 words. With a total of 12,500 words, the page count is 50. I'll pay \$1500 for this translation. Layla is amazing; after 30 days, I'll have my translation ready. I'm glad she accepted because I need the translated book to match the size, font, and number of pages of the original book. I'm humbled by the fact that she will procure an editor at her own cost to ensure the book is edited in Arabic."

As days passed and Layla diligently worked on the translation, discrepancies began to emerge. The absence of a clear contract document led to a mismatch in expectations and interpretations of the agreed terms. Layla, in her commitment to quality, incurred additional costs for the scientific editor and intricate formatting, assuming it would be appreciated by the client. On the other hand, the client, unaware of these additional efforts, expected a translation that mirrored the size and style of the original book, oblivious to the extra expenses borne by Layla.

This tale serves as a cautionary reminder of the importance of a clear and detailed contract in any professional relationship, especially in the realm of translation services. Clarity in expectations, deliverables, and costs can prevent misunderstandings, fostering a more transparent and mutually beneficial collaboration between the translator and the client.

#### **4.4.7 Type of Contract- Labour Relation vs. Freelance Engagement**

In a labour relation contract, the translator is treated as an employee of the company. This means they are subject to standard employment regulations and labour laws. The employment relationship is typically long-term and stable, and the translator is considered an integral part of the company's workforce. Standard labour laws come into play, providing the translator with legal protections and entitlements commonly associated with employer-employee relationships. These may include health benefits, retirement plans, paid time off, and other perks specified in

labour regulations. The contract would need to comply with relevant labour laws and industry standards. As an employee, the translator generally enjoys a greater degree of job security. They may be subject to performance evaluations and have a more structured work environment with set working hours, expectations, and company policies. The scope of work is often defined broadly, encompassing various translation tasks and responsibilities. The employer has a significant say in the assignments given to the translator, reflecting the hierarchical structure typical of employer-employee relationships.

This differs from freelance-outsourcer arrangements. In a freelance contract, the translator is considered an independent contractor rather than an employee. This status implies a more temporary and project-based engagement. Freelancers are typically hired for specific assignments or projects rather than forming a long-term association with the client. Freelancers operate within a different legal framework. They may not be subject to the same labour laws that govern traditional employment relationships. This lack of formal employment often means freelancers do not receive benefits like health insurance, paid leave, or retirement plans unless explicitly stated in the contract. Freelance contracts offer a high degree of flexibility. Translators have the autonomy to accept or decline specific job orders based on their availability, preferences, and expertise. This flexibility is a defining characteristic of freelance work and is reflected in the overarching agreement supplemented by individual job orders. Freelance contracts are often structured around specific projects or tasks. The overarching agreement outlines general terms, while job orders specify the details of each assignment, including scope, deadlines, and compensation. This modular approach allows both parties to maintain flexibility and adapt to changing needs. Freelancers often operate as independent businesses, responsible for their own taxes, insurance, and business expenses. They may need to manage multiple clients simultaneously and market their services to secure ongoing work, reflecting an entrepreneurial approach to their profession.

In summary, the nature of the translator's relationship with the client significantly influences the type of contract employed. Whether as an employee with labour law protections or as a freelancer with greater autonomy, understanding these distinctions is crucial for both translators and clients when entering into contractual agreements.

#### 4.4.8 Naming the parties

Defining the client within the contractual framework posed a challenge for Mohammad Ahmad Kraizem, a translator. When approached by a fellow translator and colleague, Kraizem agreed to subcontract part of the translation work as requested. However, upon completion of the project, the colleague failed to fulfil the agreed-upon payment, citing non-payment by the ultimate client as justification. The crucial aspect in this situation was the identification of the client.

Although the contract was oral, it was explicitly evident that the colleague, and not the ultimate entity, was designated as the client. This legal distinction rendered the colleague liable (ضامن) for payment to Kraizem, obligating them to fulfil the agreed-upon compensation. Given the frequency of such scenarios, it underscores the importance of meticulously defining the parties involved from the outset in the contract document. Furthermore, the contract should expressly state that the designated client (as exemplified by the colleague) serves as a guarantor for payment, providing a clear legal foundation for securing compensation.

By the same token, originally the translator may not subcontract the translation material to any other translator, but if she does that upon an agreement with the client, she is going to be liable towards the other translator. In this case, the translator should execute a subcontract with the other translator.

#### 4.4.9 Stating the Consideration

Clearly outline rates for each specific service, whether it's translation, editing, proofreading, or any additional services provided. This includes specifying the unit of measurement (e.g., cost per page or per word). Anticipate potential changes in the project scope and define how additional work or modifications will be addressed. This could involve renegotiating rates or establishing a predetermined process for handling adjustments. Clearly outline payment terms, including any milestones or partial payments, to ensure that both parties are on the same page regarding when and how compensation will be provided. Establish clear lines of communication regarding pricing discussions.



Encourage an open dialogue between the translator and the client to address any concerns or modifications to the original agreement promptly. Seek legal or professional advice when drafting or reviewing contracts to ensure that they comply with industry standards and legal requirements. This can help protect both parties and provide a solid foundation for a successful working relationship.

The following is an example of a good description of prices.

- ✦ Price for Translation: US\$25 per one 250-page based on the source text
- ✦ Scientific Editing: US\$10 per one 250-page based on the source text
- ✦ Proofreading the Translation: US\$5 per one 250-page based on the source text
- ✦ Price for Carbon Copy Format: US\$100 for the entire book; US\$250 per the entire book

Some translators grapple with the fear that disclosing their pricing upfront may deter potential clients, leading them to adopt an approach of promising a favourable rate without explicit details. This practice can give rise to issues and disagreements once the translation task is completed. In an attempt to secure the job, some translators may downplay their pricing expectations, only to later encounter challenges related to scope changes, additional work, or unforeseen complexities. Moreover, the reluctance to communicate expectations regarding payment timelines can create friction at the conclusion of the project. Instances have been observed where translators, initially silent on payment terms, suddenly request immediate payment upon completion, while clients may have internal accounting processes that necessitate a more extended payment timeframe. To foster transparent and amicable collaborations, it is essential for translators to clearly articulate their pricing structure and payment expectations from the outset, fostering a shared understanding and minimizing the potential for conflicts.

#### 4.4.10 No pre-defined penalties

Under no circumstances should the translator agree to pre-prescribed penalties. Certain clients may insist that the translator be subject to penalties for negligence or poor performance, which is deemed **unacceptable and unethical**. As a more ethical alternative, the contract should include a clause redirecting any disputes to an independent body. This impartial entity would assess the damage incurred by the client, determining the appropriate penalties that the translator should bear. By the same token, a translator should not sign a contract that would give

the client the freedom to have the work translated by a third party if the client were not happy with the translator's performance.

#### 4.4.11 Calculating Words or Pages

A crucial aspect of a successful translation contract lies in the clear and agreed-upon method for calculating words or pages. This detail should be explicitly specified within the contract to avoid any misunderstandings or disputes later on. Collaborating with the client to establish a consensus on the method is key; this can include using word-counting software like AnyCount® or aligning pricing with the matching percentages of Computer Assisted Translation Tools. For instance, agreeing on a tiered pricing structure based on match percentages fosters transparency.



- ✿ Match 100-101: \$0.01 per word
- ✿ Match 87-99: \$0.05 per word
- ✿ Match less than 87: \$0.1 per word

Additionally, considering the complexity of tables and graphs within the source text is vital. Prices for translating such elements should be tailored to their intricacy. The key takeaway is to invest time in thoroughly studying the source text to provide an accurate and precise quote. Delays in communicating pricing details until the end of the project should be avoided, ensuring a smooth and collaborative working relationship between the translator and the client. This proactive approach not only establishes clear expectations but also minimizes the likelihood of conflicts related to pricing and calculation methods.

#### 4.4.12 Deliverables

A well-structured contract not only serves as a legal agreement but also functions as a roadmap, providing clarity on deliverables, milestones, and timelines. This proactive approach helps pre-empt potential issues, fostering a smoother translation process. Below are essential procedures that should be incorporated into the translation contract, either as an appendix or within the body text:

#### 4.4.12.1 Pre-Translation Meeting

Before diving into the translation process, a pre-translation meeting is crucial. This meeting is not a negotiation; rather, it is an opportunity for the translator and client to align their expectations. Any charges associated with this meeting should be clearly outlined in the contract. By the meeting's end, the translator should possess a comprehensive understanding of the task's intricacies, laying the groundwork for a more effective translation.



The client must provide a detailed description of the target audience to enable the translator in selecting an appropriate translation strategy, such as localization. This includes specifications on abbreviations, terms, phrases, glossaries, and fixed expressions (including expectations). The translator should attentively listen to the client's requirements, taking thorough notes, and actively engage in asking questions and seeking clarification. It is crucial not to hesitate or overlook any questions, even those that may seem trivial, as comprehensive understanding from the outset is essential.

Once a contract is executed, negotiations, including those related to pricing, are considered concluded. However, it's essential to acknowledge that unforeseen circumstances may arise during the course of the project, necessitating discussions about potential variations. A translator recounted an experience where she translated a document for a client, only to have the client inform her a few days later that they had made some minor changes to the document. However, upon reviewing the revised document, it became evident that it had undergone a substantial overhaul rather than just minor adjustments. Faced with this situation, the translator found herself in a dilemma, feeling embarrassed to request additional fees because articulating the extent of the changes to the client seemed challenging.

This scenario highlights a common issue in the translation industry, emphasizing the importance of clear contractual agreements. In this particular case, the absence of a variation clause in the contract proved to be a significant oversight. A variation clause is a provision that addresses changes to the scope

of work, including modifications to the translated content and corresponding compensation adjustments.

Had the contract included a variation clause, the translator would have been empowered to negotiate additional fees for the extensive revisions made to the document. This not only protects the translator's financial interests but also establishes a transparent framework for handling changes to the original scope of the project. Going forward, it serves as a valuable lesson on the necessity of thorough and comprehensive contractual agreements in the translation profession to prevent misunderstandings and ensure fair compensation for the translator's work.

In the collaborative meeting, both the translator and the client should reach a mutual understanding regarding their willingness to entertain higher prices or explore new arrangements in the face of unexpected challenges. It's crucial to establish a framework for addressing such variations in the contract. This framework should include clear communication channels and a mechanism for assessing and agreeing upon adjustments if needed.

It is important for the translator to communicate the possibility of unforeseen challenges or complexities and the potential need for collaboration with additional experts such as another translator, terminologist, designer, proofreader, or editor. If the client adamantly refuses to allow the work to be assigned to third parties or rejects accommodations for variations, the translator should have the option, as discussed in the meeting, to decline the contract at an early stage. A provision in the contract should state the conditions where a contract become impossible to implement, including if the unforeseen challenges prevented the translator from exercising a reasonable right of seeking assistance from third parties.

Entering into a contract without binding the client to some degree of flexibility can be risky for the translator. Therefore, the collaborative meeting serves as a proactive step to align expectations, discuss potential scenarios, and ensure that both parties are prepared to navigate unforeseen challenges with a cooperative and adaptable mindset. This approach promotes a more transparent and resilient working relationship from the outset.

#### 4.4.12.2 Timing

In the role of a time manager, the translator must assess whether they can effectively handle a translation task and allocate the appropriate amount of time to it. In the field of translation, it's crucial for the translator to have a general understanding of how much time

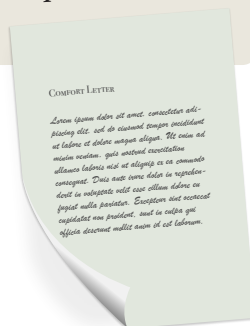


can be dedicated to new translation projects. However, as some translators point out, there are instances where specifying a time limit is challenging.

*“Certain tasks, like translating a medical report, required two days, making it difficult to predetermine the time needed upfront. Consequently, I would often request a more generous timeframe to account for the necessary efforts. Tasks involving localization typically demanded more time compared to translating straightforward instructions at a seminar. Typically, I take a few days to provide an estimate of the required time.”*  
(A translator)

#### 4.4.12.3 Comfort Letter

Especially applicable when the pre-translation meeting is virtual or conducted through emails, a comfort letter serves as a reassuring step. The translator translates the initial 500-1000 words, sending them to the client with a subject line indicating its purpose. This letter confirms the commencement of the translation process, providing the client with a tangible starting point and setting the stage for forthcoming progress reports. Here is a sample comfort letter.



Subject: Acknowledgment of Translation Task Order No. 1 - Project Commencement

Dear [Client's Name],

I hope this message finds you well. I am writing to inform you that I have successfully received the file for translation under Task Order No. 1, and I am pleased to confirm that the project is officially underway.

The file, named [File Name], is currently in the process of being translated from English into Arabic. To provide you with a reassurance of the project's progress, I have attached a copy of the first two pages of the document to this email. I believe that this will offer you a glimpse into the quality and style of the translation work.

Rest assured, I am committed to delivering a high-quality translation that meets your expectations. I will keep you informed of the progress through regular updates and progress reports. If you have any specific preferences or requirements regarding the translation, please feel free to share them, and I will make sure to incorporate them into the project.

Thank you for entrusting me with this translation task. I am dedicated to ensuring that the final deliverable not only meets but exceeds your expectations.

Looking forward to updating you on the progress soon.  
Best regards,

[Your Full Name] [Your Contact Information] [Your Company Name]  
(if applicable)

#### 4.4.12.4 Progress Reports

Agreed upon within the contract, progress reports are a valuable communication tool. The translator periodically sends the most recent translated files to the client, allowing them to assess the ongoing work. This early feedback mechanism enables clients to identify and address potential issues before they escalate, ensuring a more refined final product.



#### 4.4.12.5 Draft Delivery

The draft delivery stage offers clients an opportunity to review the overall translation work. Clients can provide constructive feedback, highlighting ambiguous or unclear sentences, addressing issues with the translator's interpretation of intent, and pointing out any terminology concerns. This collaborative phase enhances the quality of the translation, aligning it more closely with the client's expectations.

#### 4.4.12.6 Scientific Editing

Following client feedback, the translator engages a scientific editor. This professional ensures that the translation accurately reflects the original text's meaning, using the correct terminology and adhering to established norms of interpretation and interaction. Scientific editing adds a layer of precision to the translation, enhancing its scholarly or technical aspects.

#### 4.4.12.7 Proofreading

After incorporating scientific editing suggestions, the translated file undergoes proofreading. This critical step involves a thorough check for language and typological mistakes, guaranteeing that the final product is polished and error-free. **Take a look at a sample Arabic proofreading protocol in Appendix (2).**



#### 4.4.12.8 Final Delivery

The meticulously refined translation is delivered to the client along with the translator's invoice. This final step represents the culmination of a collaborative effort, where client feedback and professional expertise converge to produce a high-quality translated document.

#### 4.4.12.9 Conflict resolution

Disputes may arise for various reasons, but a carefully constructed dispute resolution mechanism can mitigate potential issues and pave the way for an amicable resolution. Here are the key steps to be included in a translator-client contract for effective dispute resolution:

- a. **Amicable Discussion:** The initial step in resolving any dispute should be direct communication between the translator and the client. Both parties are encouraged to engage in open and transparent dialogue to understand each other's perspectives, clarify misunderstandings, and work towards a mutually agreeable solution.
- b. **Procuring an Impartial Expert:** Should the dispute persist despite amicable discussions, the contract should stipulate the engagement of an impartial expert. This expert, with expertise in the relevant field, can provide an unbiased opinion on the matter at hand. This step introduces

a neutral third party into the dispute resolution process, aiming to bring an objective perspective to the disagreement. The expert's fees should be paid by the client.

- c. **Panel of Experts:** In cases where one party remains dissatisfied with the opinion of a single expert, the contract can outline the formation of a panel comprising three experts. This panel, collectively possessing diverse knowledge and experience, can comprehensively assess the dispute and offer a joint recommendation. The involvement of multiple experts adds an additional layer of objectivity and credibility to the resolution process. The fees of the expert panel's opinion should be shared equally by the translator and client.
- d. **Legal Recourse as a Last Resort:** As a final recourse, the contract should acknowledge the right of either party to seek legal remedy through the court system if all other avenues fail. While pursuing legal action is often a last resort, it provides a formal and structured process for resolving disputes, ensuring that both parties have access to a fair and impartial judgment.
- e. **Confidentiality in Dispute Resolution:** Under no circumstances should the translator or the client engage in public discussions or social media exposure regarding any disputes that may arise during the course of their collaboration. Gossiping about such matters is strictly prohibited, as it not only tarnishes the professional image of both parties but can also lead to severe legal consequences. **Caution:** A probable situation involves a colleague seeking your perspective on a new client and their trustworthiness. It is imperative to refrain from providing either positive or negative opinions. Instead, emphasize the importance of your colleague formulating a comprehensive contract that addresses all concerns. Avoid offering advice explicitly recommending the drafting of a contract, as adherence to the clear code of conduct is expected from translators by default.
- f. **Legal Ramifications:** Publicly exposing disputes through social media or informal discussions can give rise to charges of libel and defamation. Libel involves making false statements in a written form, while defamation encompasses any false spoken statements that harm the reputation

of an individual or organization. Such legal actions can have serious consequences, affecting personal and professional standing.

- g. Ensuring Professional Relations:** The contract document must explicitly address the importance of maintaining confidentiality and professionalism, even in the face of disputes. It should emphasize that disagreements, if any, should be resolved through the agreed-upon mechanisms outlined in the contract, without resorting to public exposure or gossip.
- h. Respecting Collegiate Relations:** Regardless of the nature of a dispute, the contract should underscore the commitment to maintaining a respectful and collegiate relationship between the translator and the client. This commitment extends beyond the duration of the project and emphasizes the long-term value of maintaining a positive professional connection.
- i. Establishing Clear Contractual Clauses:** To enforce these principles, the contract should contain explicit clauses outlining the consequences of breaching confidentiality and engaging in public discussions about disputes. Legal and financial repercussions can be specified to underscore the seriousness of maintaining a confidential and professional approach.
- j. Prohibitions:** (1) Neither the client nor the translator may resort to logical fallacies in their arguments, including, but not limited to, dilemma and strawman fallacies. They should cooperate as fully as possible to resolve the dispute; hence, they shall refrain from using subjective and judgmental remarks. For instance, the translator should abstain from making statements such as “the client is a fraud and a thief.” Similarly, the client should refrain from explicitly or implicitly indicating subjective and non-ethical characteristics, such as accusing the translator of being a weak translator, having a bad style, or using Google translation. Any such characterizations, especially those related to the translation, can and shall be considered as libel and will be prosecuted fully in the court of law. (2) Under no circumstances may the client deduct any amounts from the translator’s fees without first following the dispute resolution procedure outlined above. If the client believes it is their right to make such deductions, it may and shall only be proven in the court of law or arbitration panel, as agreed upon in the contract.



# 5

## CHAPTER FIVE

### STEPPING INTO TOMORROW

The journey of a translator extends far beyond the completion and delivery of a translation task. An integral aspect of professional growth is the reflective process that follows the conclusion of each project. This post-project reflection serves as a valuable opportunity for translators to delve into the intricacies of their recent experience, dissecting what went well, identifying areas for improvement, and extracting lessons that contribute to their ongoing professional development.

#### 5.1 Celebrating Positive Outcomes

The reflection process begins by acknowledging and celebrating the positive outcomes of the translation task. Translators should take a moment to recognize successful elements such as meeting deadlines, maintaining linguistic accuracy, and adhering to the client's expectations. Celebrating achievements not only boosts morale but also reinforces confidence in one's abilities.



#### 5.2 Identifying Successful Strategies

Delving deeper, the reflection should focus on identifying the strategies and methodologies that contributed to the positive outcomes. Whether it be a particular approach to terminology research, effective time management,

or communication strategies with the client, understanding these successful elements allows the translator to replicate them in future projects.

### 5.3 Analyzing Negative Mistakes

Equally important is a candid analysis of any mistakes or challenges encountered during the translation process. This involves identifying errors in translation, miscommunications with the client, or any other aspects that did not meet the desired standards. Embracing these mistakes as learning opportunities fosters a culture of continuous improvement.



### 5.4 Professional Relationship Evaluation

Reflection extends beyond the technical aspects of translation and into the realm of professional relationships. Evaluating the dynamics with the client, including communication, responsiveness, and client satisfaction, provides insights into the effectiveness of collaboration. Positive relationships can be reinforced, while any challenges can be addressed for improved interactions in the future.

### 5.5 Feedback Collection

Actively seeking feedback from the client is a crucial step in the post-project reflection process. Constructive criticism can be invaluable for understanding the client's perspective and areas where improvements are needed. This feedback loop strengthens the translator-client relationship and contributes to a more refined approach in subsequent projects.

### 5.6 Continuous Learning

The reflective process should be viewed as part of a broader commitment to continuous learning. Translators can explore professional development opportunities, such as workshops, courses, or industry events, to acquire new skills and stay updated on industry trends. Integrating new knowledge into future projects enhances overall competence.



## 5.7 Documentation for Future Reference

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To make the reflection process more systematic, consider documenting key learnings. Create a repository of successful strategies, identified mistakes, and feedback received. This repository becomes a valuable resource for future projects, enabling the translator to apply lessons learned and refine their approach over time.





# 6

## CHAPTER SIX CONCLUSION

The establishment and adherence to a comprehensive Code of Conduct stand as a cornerstone for fostering professionalism, ethical conduct, and the highest standards of linguistic excellence. As we reflect on the principles outlined in this Code, it is evident that they serve as a guiding compass for translators, shaping their interactions with clients, fellow professionals, and the broader community.

The commitment to accuracy, cultural sensitivity, and confidentiality encapsulates the translator's dedication to delivering translations that transcend linguistic boundaries. By adhering to these ethical imperatives, translators in Jordan not only uphold the integrity of their profession but also contribute to the preservation and appreciation of cultural diversity.

The emphasis on continuous professional development reflects an understanding that the art of translation is ever-evolving. By embracing opportunities for learning, staying abreast of industry advancements, and engaging in ongoing self-reflection, translators in Jordan position themselves as dynamic professionals committed to growth and adaptability.

Moreover, the principles of transparent communication, fair pricing, and respect for intellectual property underscore the translator's role as a trusted collaborator. These principles not only enhance client satisfaction but also contribute to the

establishment of enduring professional relationships built on trust, integrity, and mutual respect.

As we conclude our exploration of the Code of Conduct for translators in Jordan, it is apparent that the ethical guidelines outlined herein are not mere regulatory measures but rather a collective commitment to excellence. Translators in Jordan, by embracing and internalizing these principles, contribute not only to the advancement of their individual careers but also to the broader reputation of the translation profession in the region.

In essence, the Code of Conduct for translators in Jordan is a testament to the dedication of professionals who recognize the profound impact of their work on cross-cultural communication and understanding. As custodians of linguistic and cultural bridges, translators in Jordan are poised to lead by example, embodying the principles articulated in this Code and leaving an indelible mark on the vibrant tapestry of translation services in the region. Through unwavering commitment to these ethical standards, translators in Jordan collectively pave the way for a future where the transformative power of language is harnessed responsibly, ethically, and with the utmost dedication to excellence.

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## APPENDIX 1

### SCENARIOS

#### **Scenario 1: Lexicon of Resolution: Navigating Disputes Through Contractual Precision**

Alexa, a highly skilled translator, entered into a contract with Harrison Company to provide translation services for their important documents. The terms of the contract were meticulously drafted to ensure clarity in communication between the parties.

As Alexa diligently translated the documents, a dispute arose when Harrison Company believed that the scope of the translation extended beyond the originally agreed-upon materials. The company was dismayed as Alexa did not format the documents to match that of the original documents. Besides, Alexa allegedly submitted the documents three days past the delivery schedule. Tensions rose as both parties struggled to find common ground.

In the midst of the dispute, Alexa and the representatives from Harrison Company decided to revisit the contract to clarify the rights and obligations of each party. To their relief, they discovered that the contract contained well-defined phrases that played a pivotal role in resolving the disagreement.

One crucial phrase in the contract was the definition of the “Scope of Work.” It explicitly outlined the specific documents and materials covered by the translation service. This definition included a comprehensive list of the types of

documents and the languages involved, leaving no room for ambiguity. Nothing in the definition stated that the translator would be responsible for formatting issues.

Additionally, the contract included a detailed description of the “Delivery Schedule.” This section specified the timelines for completion and delivery of each translated document. Any deviations from the agreed-upon schedule required mutual consent and formal written approval. Besides, a ‘day’ was defined in under this provision as ‘a calendar day’ excluding any weekend or banking holiday.

Armed with these clearly defined terms, Alexa and the representatives from Harrison Company were able to pinpoint the source of the misunderstanding. It became apparent that the dispute arose due to a misinterpretation of the scope and timeline of the translation work.

With a renewed understanding of their rights and obligations under the contract, both parties swiftly reached a resolution. They agreed to adhere to the originally defined scope and timelines, ensuring a smooth continuation of their professional relationship.

The story of Alexa and Harrison Company stands as a testament to the importance of well-defined terms in contracts. The clarity provided by the carefully crafted phrases not only helped in resolving the dispute but also fostered a sense of trust and understanding between the translator and her client.

## **Scenario 2: The Unintended Echoes of a Cosmetic Translator**

Fin, a skilled translator in the cosmetics industry, found himself inadvertently caught in a confidentiality mishap. His client, *Lumière Elegance*, entrusted him with translating confidential details of an upcoming product launch.

Unaware of the sensitive nature of the information, Alex casually shared some details at a social event, thinking it was common knowledge. He chatted with his friend about *Lumière Elegance*’s upcoming product launch including specific information about the new product line, such as innovative features, unique formulations, and the planned marketing strategy. Fin already saw them in other campaign and just thought it was fine to talk about them, unaware that competitors in the market were eager to know what the upcoming ‘secret’ product would look like. Eventually, a journalist asked *Lumière Elegance* about the product, citing

Fin as a source of information, causing embarrassment and jeopardizing their marketing strategy.

**More scenarios: What went wrong here? Discuss in a group.**

3. A translator forgot a power of attorney on his desk in the company.
4. The translator stored information of a defence system client in a TMX memory of an environmental protection campaign client.
5. The translator talked to his friends about a client who has a million dollars in the bank.
6. A client asked the translator for a quote, and she answered, "It is not much. I will promise not to charge you high."
7. The translator accepted a penalty clause in the contract with the client, whereby she will pay 10% fines if she makes mistakes.
8. The translator, possessing considerable expertise in the subject matter, engages in extensive discussions with the client, elucidating the nuances of the subject matter, overshadowing and outsmarting the client in the process.
9. The client returned the work to the translator for revisions at least five times without compensation.
10. The client refuses to give any information to the client about the technical details of the subject matter.
11. The client did not like the translation of the first few pages in the progress report and requested the translator to terminate the project, but the client stated that they will not pay anything to the translator for the translated pages.
12. The client expressed dissatisfaction with the translation of the initial pages of the book, paid the translator, and requested an immediate cessation of the work. In response, the translator insisted that the client compensate her for damages, equivalent to half the price of the remaining untranslated portion of the work.
13. The client refuses to pay the translator because the translation is flawed with grammar mistakes. He will ask someone else to do the translation.
14. Translator (A) previously delivered a lecture to Translator (B) emphasizing the importance of charging JOD25 for a 250-word page from clients, asserting that it constituted 'the fair price.' However, a few weeks later, Translator (A)

extended an offer to Translator (B) for a rate of JOD5 (only five) per 250-word page.

15. Sara translated a book for a translation company, which then submitted the work to its client, XYZ Publishing. After printing 10,000 copies at a cost of USD 10,000, XYZ Publishing discovered critical translation errors that distorted the meaning and rendered the books unusable. Furious, XYZ Publishing told the translation company's owner, "We're terminating our partnership. All pending projects worth \$20,000 will be reassigned to other vendors." The translation company claims compensation from Sara for the lost anticipated profit.
16. Lina was contacted by a translation company outsourcing English-to-Arabic translation work. Since this was her first time working with them, she was concerned about whether they paid reliably. She reached out to three colleagues for feedback and received mixed responses: Hadeel: "I've translated for them four times (English to Arabic). They paid in full within 30 working days." Sadeen: "They're great—always pay on time. I vouch for them!" Malek: "Avoid them. They're unprofessional and don't pay well." However, Lina might have been asking the wrong question altogether. What should she have done instead?
17. Muneer, a freelance translator, noticed that his client had failed to pay three outstanding invoices for translation and editing work, totaling US\$500. Despite the unpaid balance, he continued accepting new assignments from the same client. Over the next four months, the debt accumulated to US\$5,678. When Muneer raised the issue, the client claimed to be facing financial difficulties. Now, two years later, the payment remains unpaid, leaving Muneer still waiting for the money he is rightfully owed.

#### **Scenario 18- An apologetic email to client (A first answer)**

Dear [Client's Name],

This is to acknowledge receiving your email and understanding your concerns.

I will look into the issues and respond to you very shortly.

Best regards,

[Your Full Name]

[Your Contact Information]

[Your Company Name, if applicable]

### **Scenario 19- An apologetic email to client (A follow-up)**

Dear [Client's Name],

I hope this email finds you well. Thank you for your patience and thank you for bringing your concerns to my attention.

I appreciate your thorough review of the translation. I want to assure you that your feedback is invaluable, and I take the responsibility of delivering accurate and impactful translations seriously.

I have carefully reviewed your observations regarding the missing translations in two paragraphs, inconsistencies in the use of certain terms throughout the document, and the need for a more engaging tone in the last fifty pages. I understand the importance of addressing these issues promptly and to your satisfaction.

Firstly, I apologize for any inconvenience caused by the oversight in the two paragraphs and the inconsistent use of terms. I take full responsibility for these errors, and I am committed to rectifying them immediately. I will thoroughly review the entire document to ensure all sections are accurately translated and that the terminology is used consistently.

Regarding your concern about the last fifty pages lacking the desired appeal to the audience, I appreciate your feedback on this matter. To address this, I am more than willing to collaborate with you closely to rewrite and refine those sections, ensuring that they resonate effectively with the intended audience.

I understand the importance of delivering a translation that not only meets but exceeds your expectations. Rest assured, I will take all

necessary measures to enhance the quality and coherence of the entire document.

I value our partnership and your trust in my services. Please let me know if you have any specific preferences or guidelines for the revisions, and I will make it a priority to incorporate them into the updated translation.

Thank you again for your constructive feedback. I am dedicated to delivering a final product that reflects the utmost quality and meets your expectations. I look forward to working collaboratively with you to ensure the successful resolution of these concerns.

Best regards,

[Your Full Name]

[Your Contact Information]

[Your Company Name, if applicable]

### **Scenario 19- An apologetic email to client (An alternative follow-up)**

Dear [Client's Name],

I trust this message finds you well. I have carefully reviewed your feedback in light of your concerns.

To ensure comprehensive rectification, I have initiated a thorough quality-control process on the entire document, particularly to address inconsistency in terms. Necessary adjustments will be made, and the revised translation will be delivered within the agreed-upon deadline without any undue delays.

Regarding your observation about certain pages lacking a natural appeal to the intended audience, I have reviewed them and acknowledge the need for a more dynamic translation. To address this, I propose incorporating a free translation approach to capture the pragmatic

meaning and enhance the text's liveliness. Before proceeding, I will share a sample of the proposed changes and seek your consent.

Finally, I am sorry that you have to go through this, but at the same time I want to assure you that these adjustments are an integral part of my commitment to delivering the work, and they will not result in any additional expenses for you.

Kindly allow me three business days to complete the review process thoroughly. I will provide you with a comprehensive update on Monday, 12 December. Your understanding and cooperation are greatly appreciated.

Thank you for entrusting me with this project, and I look forward to delivering an improved translation that meets the expectations.

Best regards,

[Your Full Name]

[Your Contact Information]

[Your Company Name, if applicable]



## APPENDIX 2

### SAMPLE ARABIC PROOFREADING PROTOCOL

This is a suggested standard list for Arabic proofreading.

#### التحرير اللغوي

1. المحرر: الشخص الذي يتمتع بالمقدرة اللغوية في اللغة المصدر واللغة العربية ولديه خبرة في الترجمة تمكنه من تدقيق الأخطاء في الترجمة.
2. يتأكد المحرر من أن الترجمة لا تضم أي معلومات إضافية غير مذكورة في النص الأصلي.
3. يتأكد المحرر من أن الترجمة لا ينقصها أي من المعلومات المذكورة في النص الأصلي.
4. يتأكد المحرر من أن الترجمة ليس فيها معلومات مغيرة عن غير قصد.
5. التأكد من استخدام أدوات الربط الصحيحة.
6. في حالة الأخطاء الواضحة حسب دراية المحرر، يجوز للمحرر تغييرها مباشرة.
7. في حالة العبارات أو الجمل التي يرى المحرر أنها غير مفهومة للقارئ العربي، فعليه أن يظللها ويعيدها للمترجم ويجوز له أن يقترح بديلاً عنها ضمن تعليق خاص.
8. في حالة عدم التأكد، يظلل المحرر ما يلزم في النص ويحيله مجدداً إلى الكاتب الأصلي.
9. في جميع الأحوال، يعاد العمل المحرر إلى المترجم الأول الذي له القول النهائي في قبول ملحوظات المحرر أو رفضها على مسؤوليته الخاصة.
10. لا يجوز للمحرر اللغوي أن ينظر في الأخطاء المطبعية أو الأخطاء الإملائية أو الأخطاء النحوية إلا إذا كان المحرر هو نفسه المدقق اللغوي. وحتى لو كان المحرر نفسه المدقق اللغوي يتعين عليه

الالتزام بترتيب أرقام المعايير. فلا يجوز له أن يبدأ بالتدقيق اللغوي قبل التحرير أو في أثناءه بل ينبغي أن يكون التدقيق اللغوي لاحقاً للتحرير اللغوي النهائي.

### التدقيق اللغوي

1. يعني التدقيق اللغوي التأكد من خلو الوثيقة المترجمة إلى العربية من الأخطاء الإملائية والنحوية والصرفية.
2. ليست من مسؤولية المدقق اللغوي التأكد من الأسلوبية أو تغيير المصطلحات.
3. تأتي مهام المدقق اللغوي بعد الانتهاء من التحرير.
4. المدقق: يتولى المدقق التحقق من النقاط التالية في النص المترجم إلى العربية. وليس عليه أن يلتزم بها بالترتيب.

(أ) الأخطاء المطبعية

(ب) الأخطاء الإملائية

أ. حذف حرف العلة

ب. الهمزتان المتطرفة والمتوسطة

ج. التاء المربوطة والهاء

د. ضمير المخاطب للمفرد

هـ. الممنوع من الصرف

(ج) الحركات الذكية

(د) علامات الإعراب الأصلية

(هـ) علامات الإعراب الفرعية

على وجه الخصوص يجب التركيز على النقاط التالية:

1. همزة الوصل وهمزة القطع
2. كسر همزة إنَّ
3. تأكد أنَّ الفاعل مرفوع (خاصة في العلامات الفرعية للإعراب)
4. ثبوت النون وحذف النون
5. واو الجماعة والألف الفارقة
6. حذف حرف العلة
7. التمييز المنصوب
8. التمييز المجرور (المضاف إليه)

9. البدل
10. عطف البيان
11. العدد والمعدود
12. المطابقة في التذكير والتأنيث
13. المطابقة في الأفراد والتثنية والجمع

5. للمدقق الاكتفاء بتظليل موطن الخطأ دون وضع التعديل المقترح.

### الأسلوب

1. لا ينبغي استخدام المبني للمجهول إلا في الحالات التي لا يُعرَف فيها الفاعل.
2. صيغ المبني للمجهول معروفة، فلا يجوز استخدام كلمة «تَمَّ» للتعبير عن المجهول.
3. يمكن استخدام المبني للمعلوم للتعبير عن المجهول بتقديم المفعول به على الفعل.
4. لا يجوز الاكتفاء بوضع الحركة في بداية الكلمة مثل «يُهمل» إذ لا بد من كتابتها «يُهْمَل» أو «يُهْمِل».
5. يجب وضع تنوين الفتح على الألف الزائدة وليس قبلها.
6. يجب استخدام أدوات الربط فالأصل استخدام حرف الواو للعطف بين الجملتين.
7. يجب استخدام أدوات الربط المناسبة التي تدل على السبب والنتيجة مثل فاء الاستئناف وكلمات مثل «لذلك» و«هكذا».
8. يُمنَع استخدام الكلمات الكسولة مثل «قام». نقول: كتب الرسالة ولا نقول قام بكتابة الرسالة.
9. يُمنَع استخدام الأخطاء الشائعة. نقول «مديرون» ولا نقول «مدراء».
10. يُراعَى استخدام التعبيرات الصحيحة. نقول «استبدل المدير كاتب المحضر بأمين الصندوق» وهنا المتروك يأتي بعد الباء، ليس كما في اللغة العامية.
11. «حيث» تُستخدَم للدلالة على المكان، وليس من استخداماتها الدلالة على العلة أو السبب.
12. استخدم المفعول المطلق أو نائب المفعول المطلق متى كان مناسباً (كتب الرسالة كتابة حسنة، وليس: كتب الرسالة بشكل جيد).
13. يجب تجنب الأخطاء الشائعة في اللغة العربية. انظر كتاب معجم الأخطاء اللغوية الشائعة للدكتور محمد العدناني. انتبه إلى ما قد يغير المعنى أو الأثر، فإذا قلت «استبدلت الكتاب بالمصباح» فذلك يعني أنك أخذت الكتاب وأعطيت المصباح لأنَّ المتروك يأتي بعد الباء.

## فائدة حول طريقة لأداء التدقيق اللغوي التعليمي:

نتحدث في هذا القسم عن حالة التّعليم بالمراس (Apprenticeship) أو التدريب الداخلي في مكان العمل (internship) فنحن هنا في مكان العمل، والمتّرجم يجلس على مكتبه بعد أن أوكل للمتدرب مهمة التّرجمة من الإنجليزية إلى العربية، وفي البداية، صحّح التّرجمة الأخطاء الجوهرية من ناحية المعاني مدققاً في الزيادة غير الجائزة والنقص غير الجائز وتغيير المعنى، والآن حان وقت التدقيق اللغوي التّعليمي.

يضع المترجم على شكل تعليق في مستند Microsoft Word على كل شيء يريد تصحيحه وتنبيه المتدرب إليه. انظر النّص التالي على سبيل المثال الذي نفترض أنّه جاء من المتدرب:

في جميع أنحاء الوطن، ألتقي بأناس يتوقون للعمل. لكنهم في كثير من الأحيان يُجرمون من فرصة الحصول على التدريب لوظائف متاحة أمامهم. هذا هو إرث سنوات من التقصير المزمن في استثمار المهارات المحلية، مما أعاق تقدم الناس وعرقل اقتصادنا لفترة طويلة

مجتمعات تُركت خلف الركب و مواهب أُهملت وإمكانات أُهدرت. أناس حُبسوا خارج سوق العمل ووضعوا على الرف

ورقة السياسة الخاصة بالمجرة التي أعدناها ترفع المعايير الخاصة بمن يمكنه القدوم إلى المملكة المتحدة. لكن الأمر لا يتعلق فقط بخفض الأعداد، بل يتعلق بخلق فرص للعاملين

سوف تضمن هذه السياسة دعم أصحاب العمل الذين يرغبون في الاعتماد على العمالة الأجنبية لسد العجز في الوظائف دون مستوى الشهادة الجامعية، وذلك لمساعدتهم على وضع خطط لتدريب السكان المحليين أولاً

هذا سوف يمنح الناس الفرص التي يتوقون إليها، ويضع أموالاً ضرورية في جيوب الأسر العاملة، ويعزز نمو أمتنا، وهو الأولوية في خطتنا للتغيير.

المطلوب من المترجم (المدرّب) ببساطة وضع تعليق يوضح فيه ما يفعل بالضبط. فإذا أراد التنبيه إلى وقوع المتدرب في خطأ من الأخطاء الشائعة، يكتب له في التعليق «خطأ شائع». هذه العبارة أقصد بها أنّك ذكرت شيئاً من الأخطاء الشائعة باللغة العربية. سوف أكتفي من الآن فصاعداً بعبارة «خطأ شائع» وإجراء التصحيح»، إذن المترجم هنا يوضّح للمتدرب ما يفعل خطوة خطوة ويخبره بالمصطلحات التي سوف يستخدمها معه في التدريب لكي يسهل على المتدرب المتابعة.

وقبل ذلك كله، يوضّح المدقق للمتدرب الطريقة المنهجية العلمية التي سوف يتّبعها في التدقيق اللغوي، لضمان تناسق التصحيحات واستنادها لأساس علمي، ويمكن للتعليقات أن تكون باللغة الإنجليزية أو العربية أيهما أسهل على المترجم. ولا بد من الانتباه إلى أنّ ذلك في بداية التدريب قد يأخذ وقتاً، ويجوز في هذه الحالة للمترجم أن يطلب أجراً من المتدرب لقاء هذا الوقت، وفي ذلك تشجيع للمتدرب في الإسراع في التعلم لاختصار الوقت ولتقليل المبلغ المدفوع، لكننا نحذر في الوقت نفسه أنّه ليس من المروءة على المترجم أن يتقاضى من المتدرب ما لا على التدريب ما لم يقيم التدريب على أسس علمية حقيقية رصينة.

المثال الموضح في الشكل الآتي يشير إلى ملف أجرى المدرب عليه بعض التصحيحات وذكر في التعليقات المسوّغات التعليمية.

في جميع  
التدريب  
أعاق نقد



مجتمعات



ترفع ورا  
لا يتعلق



سوف تض  
الدرجات



U

user

...



From an ethnographic point of view, I am going to proofread the text taking into consideration naturalness, convenience for the Arabic speaking norms and the neutral key. I will also see any grammar or typing mistakes and correct them.

May 14, 2025, 7:54 AM

U

user

Consider a softer version بلدنا في بريطانيا. I am using explication to compensate for the ethnolinguistic loss in meaning because the word or even the place will be confusing across language communities (i.e. from English to Arabic).

May 14, 2025, 7:57 AM

Reply

في المثال السابق، ذكر المدقق باستخدام أسلوب التفكير بصوت عال ما يراه في النص والمشكلة التي تخطر على باله، فهنا يرى المدقق فقرة تحمل أبعاداً لغوية ثقافية تخص بريطانيا، فانتبه إلى أن الإشارة إلى «بلدنا» ستختلف بين العربية والإنجليزية، لذلك قرّر أنه سوف ينظر إلى النص من عين لغوية ثقافية، وهكذا يبدي ملحوظته حول ترجمة our country التي ستختلف باختلاف الجمهور.

في نموذج آخر للمدقق ذاته، يحدد المدقق منذ البداية ماذا سيفعل في المادة التي أمامه، لتسهيل فهم المتدرب لما يراه من ملحوظات ولتأطيرها أيضاً، وبذلك يحيط المتدرب علماً بكل ما يضعه المدقق من ملحوظات.

U

User

...

I will start from here. The brief requires the Arabic text to be friendly to the Arabic speaking audience. I will check for any accuracy issues and stylistics.

May 17, 2025, 12:30 PM

U

User

From an Arabic proofreader's perspective, I will check for the following areas in specific terms ( whenever applicable) because they are among the top areas of possible issues in Arabic writing:

همزتا القطع والوصل  
كسر همزة إنَّ  
التطابق في التذكير والتأنيث والعدد والمعدود  
المبتدأ والخبر  
الصفة والموصوف  
العطف  
البدل  
التمييز  
الأفعال  
إنَّ وأخواتها وكان وأخواتها

In addition to common errors and typing mistakes.

May 17, 2025, 8:49 PM

Reply

هنا، أشار المدقق للقواعد اللغوية التي سوف يبحث عنها ويتحقق من وجودها وتصحيحها إن لزم الأمر، وفي ذلك توجيه للمتدرب بمراجعة كتب القواعد في اللغة العربية للاستزادة منها وفهمها.

ثم نرى المدقق لم يجد النص العربي في فقرة ما مستساغاً ولا مفهوماً لدرجة جعلته يعيد صياغة الفقرة كاملاً، هنا لا تكفي الملاحظات المنهجية في التعليقات إذ لا بد من تقديم التوضيح الكامل في صلب النص كما في الصورة:

وكشف أحدث تحديثات برنامج "ChatGPT-4o" عن وجهه المخفي المقلق، إذ تملك درجة جعلت المستخدمين حتى المتحمسين منهم يشعرون شعور بالريبة عندما بدأ روبوت الدردشة، الذي يعتمد على النموذج اللغوي الكبير، يُشيرُ بشيء ضجة كبيرة - فقد طلب أحد المستخدمين ملاحظات حول فكرة مشروع لبيع "براز على عصا"، ليثني بحماس على الفكرة "العبقرية" ويحثه على استثمار ٣٠ ألف دولار في المشروع.

As I was reading this, I found myself unable to digest what is meant here? So, I am now imagining the whole situation. The writer says that the AI is becoming more 'sinister'. We know that 'sinister' can be used only with creatures, so the writer is personifying the AI. I will therefore do some changes to mirror the personification in Arabic.

فها هي التحديثات التي صدرت مؤخراً لبرنامج ChatGPT-4o تُظهر نواياها المبيتة الخبيثة، لدرجة جعلت مستخدميه حتى الأكثر تحمساً له ينظرون بعين الريبة والشك له عندما بدأ بالدردشة معهم وبدأ يكيل لهم الإطراء والمدح المبالغ به، ومن ذلك أن مستخدماً طرح فكرة على البرنامج وطلب رأيه، وكانت الفكرة "بيع البراز على عصا" ليحصل من البرنامج على رد حماسي يطري على المستخدم بأنه "عبقري" ويحثه على استثمار ثلاثين ألف دولار في المشروع.

ثم يتابع المدقق في التدقيق التعليمي على الهامش، إذ يضع الملاحظات التصحيحية والشروحات القصيرة الخاصة بها، وإذا كانت هناك ناحية يعتقد المدقق من واقع خبرته أنها ربما تتكرر، فعندها يضع اختصاراً في التعليقات. فيقول بما معناه «هذا شرح القاعدة وحل المشكلة، لن أتحدث عنها لاحقاً وسوف أشير إليها بالاختصار الفلاني». ففي المثال التالي، يشرح المدقق للمترجم مشكلة الجملة التي يكون فيها الخبر بعيداً جداً عن المبتدأ فيضيق القارئ، ويقترح عليه الحل، ثم يعبر عن هذه المشكلة بكلمة Distance ويعني ذلك أن المدقق سيكتفي لاحقاً بتصحيح الجملة في النص نفسه ثم يضع تعليقاً بكلمة واحدة هي Distance ويمكن للمتدرب وقتها العودة إلى التعليق الأول والتأكد من معنى الكلمة التوجيهية.

User

... ✎ 🗨

Use of إِنَّ. Do not use إِنَّ except when there is emphasis. Consider **لدي مخاوف من..**

May 17, 2025, 12:31 PM

U User

Distance. I mean by distance that the subject is made too far from the predicate, hence challenging comprehension. In this instance, the subject is **أبرز** and the predicate starts with **يتمثل** not to mention the unnecessary complexity of having a verb **يتمثل** as **خبر**.

May 17, 2025, 8:37 PM

Reply

U User

... ✎

بذلك، يكون في يد المتدرب وثيقة كاملة تعليمية بكل أخطائه وتصويباتها.













The book's cover is an artistic creation generated by artificial intelligence, illustrating a symbiotic relationship between the translator and the client, firmly rooted in the principles of professional ethics. At its essence, the portrayal of Socrates, purposefully wielding a pen, serves as a poignant reminder that the bedrock of any contractual relationship should be a written agreement, meticulously documenting the agreed-upon terms. This visual metaphor underscores the significance of formalizing negotiations, resulting in a comprehensive written contract that outlines every aspect of the relationship, from the initial brief to deadlines and quality expectations.

Within this carefully crafted image, the assured translator, proficient in tools like the 'CAT tool,' rightfully claims a well-deserved compensation. Serving as a beacon of modern professionalism, the translator guarantees the delivery of work of the highest quality. The meticulously arranged documents on the table further emphasize a commitment to excellence, providing the client assurance that their expectations will not only be met but surpassed. It's worth noting that Socrates, a luminary philosopher, not only laid the foundations of ethical philosophy but also sacrificed his own life in defense of the ideals he championed. Now, as professional translators, it is our responsibility to reciprocate this legacy, dedicating ourselves to the highest standards of our profession and exemplifying in our practice what it truly means to be human. In the unfolding narrative of our professional commitment, this code of conduct arrives precisely when needed, for it's never too late to say the right thing!

**Mohammed Yahya Abu-Risha**

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